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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
STATE OF FLORIDA—Part 2

HEARING
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-THIRD CONGRESS
SECOND SESSION

DECEMBER 1, 1954

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides :

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

* * * * *

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF FLORIDA—Part 2

WEDNESDAY, DECEMBER 1, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Miami, Fla.

PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to call, at 9:30 a. m., in the main courtroom, Federal Building, Miami, Fla., Hon. Harold H. Velde, chairman, presiding.

Committee members present: Representatives Harold H. Velde, Kit Clardy, Gordon H. Scherer, Clyde Doyle.

Staff members present: Robert L. Kunzig, counsel; Thomas W. Beale, Sr., chief clerk; Raphael I. Nixon, director of research; Earl Fuoss, investigator; W. Jackson Jones, investigator.

Mr. VELDE. The committee will be in order. Let the record show that I have appointed a subcommittee consisting of Mr. Scherer, Mr. Clardy, Mr. Doyle and myself for the purpose of this hearing. Who is the next witness, Counsel?

Mr. KUNZIG. Mr. Mariano Rodriguez.

Mr. VELDE. Stand and be sworn, please. In the testimony you are about to give before this committee, do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RODRIGUEZ. I do.

Mr. VELDE. Be seated.

Mr. KUNZIG. Would you state your full name, please?

TESTIMONY OF MARIANO RODRIGUEZ, ACCOMPANIED BY QUENTIN T. ELDRED, HIS COUNSEL

Mr. RODRIGUEZ. Mariano Rodriguez.

Mr. KUNZIG. Would you give us your present address, please.

Mr. RODRIGUEZ. Here or in Tampa?

Mr. KUNZIG. Your home where you live.

Mr. RODRIGUEZ. 2020 Twelfth Avenue, Tampa, Fla.

Mr. KUNZIG. I see you are represented by counsel. Would counsel please state his name and address for the record.

Mr. ELDRED. Quentin T. Eldred, 517 Security Building.

Mr. KUNZIG. Would you give the committee a brief background of your education and tell us about your schooling.

Mr. RODRIGUEZ. I will say junior high school during the day time; and I studied at nighttime after work.

Mr. KUNZIG. How far did you go in school? How many years?

Mr. RODRIGUEZ. During the day?

Mr. KUNZIG. Your complete schooling; was it 9 or 12 years?

Mr. RODRIGUEZ. Nine or ten years.

Mr. KUNZIG. Where were you born, sir?

Mr. RODRIGUEZ. Tampa, Fla.

Mr. KUNZIG. Give us a brief résumé, please, of your employment background; where you worked I mean.

Mr. RODRIGUEZ. Mainly in cigar factories.

Mr. KUNZIG. What cigar factory?

Mr. RODRIGUEZ. I worked in a factory for about 16 years, to the best of my knowledge.

Mr. KUNZIG. What was the name of the factory?

Mr. RODRIGUEZ. Courall Wodiska & Co.

Mr. KUNZIG. Is that where you work now?

Mr. RODRIGUEZ. No, sir.

Mr. KUNZIG. You worked there how many years?

Mr. RODRIGUEZ. Fourteen or fifteen years.

Mr. KUNZIG. Then where did you work?

Mr. RODRIGUEZ. Then I worked in the shipyards.

Mr. KUNZIG. Where?

Mr. RODRIGUEZ. In Tampa.

Mr. KUNZIG. What type of work did you do there?

Mr. RODRIGUEZ. Helper, shipfitter helper.

Mr. KUNZIG. After you worked there what was your next employment?

Mr. RODRIGUEZ. All this time all different cigar factories during the day and at nighttime I went to school there.

Mr. KUNZIG. What type of school?

Mr. RODRIGUEZ. It was a kind of private school; and there I learned some kind of bookkeeping. So, when I left the shipyard I was employed as a bookkeeper in a cigar factory.

Mr. KUNZIG. What cigar factory employed you as a bookkeeper?

Mr. RODRIGUEZ. Pedro Perez.

Mr. KUNZIG. How long did you work there?

Mr. RODRIGUEZ. I think 3 or 4 years.

Mr. KUNZIG. Continue.

Mr. RODRIGUEZ. Then I worked at this factory again, Courall Wodiska, making cigars.

Mr. KUNZIG. And that is where you worked to now?

Mr. RODRIGUEZ. That is where I worked to now.

Mr. KUNZIG. Mr. Rodriguez, as you know you have been named before this committee as having been a member of the Communist Party. We want everyone to have an opportunity to speak in his own behalf; and an opportunity to tell the committee whether that is true or not. Now, I ask you: Have you ever been a member of the Communist Party?

Mr. RODRIGUEZ. I refuse to answer that question on my constitutional rights.

Mr. KUNZIG. On the grounds of the fifth amendment, you mean?

Mr. RODRIGUEZ. Yes, sir.

Mr. KUNZIG. Are you now a member of the Communist Party?

Mr. RODRIGUEZ. I refuse to answer on the same grounds.

Mr. KUNZIG. Do you know Jose Tamargo who testified here yesterday?

Mr. RODRIGUEZ. I refuse to answer on the same grounds.

Mr. KUNZIG. Do you know Edwin Waller who testified here the day before yesterday?

Mr. RODRIGUEZ. I refuse to answer on the same grounds.

Mr. KUNZIG. Were you present in the courtroom here when those men testified?

Mr. RODRIGUEZ. Yes, sir.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. Did you hear Edwin Waller identify you as a member of the Communist Party?

Mr. RODRIGUEZ. I refuse to answer that question.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. Is that identification a correct identification?

Mr. RODRIGUEZ. I refuse to answer; same grounds.

Mr. KUNZIG. Did you hear Jose Tamargo identify you as a member of the Communist Party?

Mr. RODRIGUEZ. I refuse to answer that question.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. SCHERER. Just a minute. I can't possibly see how answering that last question will incriminate this witness; the fact that he heard someone in this hearing room identify him as a member of the Communist Party; and Mr. Chairman, I ask that the witness be directed to answer the question.

Mr. VELDE. You are directed to answer the question, Mr. Rodriguez.

Mr. ELDRED. The witness answered the question when he was asked if he was present when the witness testified, that he was present. Now, it would seem logical that the answer to the following question would be known to the committee since he was present. If we are going to inquire beyond that point, we may be opening the line of interrogation.

Mr. KUNZIG. I would disagree with counsel there. The question as I recall it was: "Did you hear Jose Tamargo identify you as a member of the Communist Party?" He might have been in the courtroom and not have heard it. He has refused to answer. Mr. Scherer requested that he answer; and I also request that he be directed to answer.

Mr. ELDRED. Will you please put the question which is to be answered to the witness again.

Mr. SCHERER. I think we should follow the rule with reference to counsel making any argument to the committee. I realize this counsel has been appointed by the bar association, but that doesn't increase his rights.

Mr. VELDE. I concur with you there, sir. We do appreciate that you are here to ably counsel the witness; but I do have to maintain the rules we operate under; and those rules provide that counsel only has the right to confer with his client and to give him advice.

Mr. ELDRED. I am sorry, Mr. Velde.

Mr. KUNZIG. I will put the two questions again. Mr. Rodriguez, were you present in the courtroom when Jose Tamargo testified.

Mr. RODRIGUEZ. Yes, sir.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. Did you hear Jose Tamargo identify you as a member of the Communist Party?

Mr. RODRIGUEZ. I hear part of it.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. Was his identification of you as a member of the Communist Party correct?

Mr. RODRIGUEZ. I refuse to answer that.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. On the same grounds?

Mr. RODRIGUEZ. On the same grounds.

Mr. KUNZIG. Mr. Rodriguez, I am reading now directly from the testimony given yesterday by Mr. Tamargo. Mr. Tamargo was asked by me: "And you paid the dues and got the card, and then you became a member?" His answer: "That's right." "To whom did you pay the dues?" His answer: "I paid the dues to different individuals there." "To which ones?" His answer: "Alfredo Rodriguez, Mariano Rodriguez, Frank Fernandez * * *." I ask you now, did you take dues from Jose Tamargo?

Mr. RODRIGUEZ. I refuse to answer on the same grounds.

Mr. KUNZIG. Was it customary for you to collect dues from the Communist Party members?

Mr. RODRIGUEZ. I refuse to answer. Same grounds.

Mr. KUNZIG. What did you do with the money that was given to you by people to pay dues for the Communist Party?

Mr. RODRIGUEZ. I refuse to answer on the same grounds.

Mr. KUNZIG. This committee would be interested in knowing what that money was used for. What was the money used for that you collected for the Communist Party?

Mr. RODRIGUEZ. I refuse to answer on the same grounds.

Mr. KUNZIG. Was the money used in any way to further the overthrow of this Government by force and violence?

Mr. RODRIGUEZ. I refuse to answer the question on the same grounds.

Mr. KUNZIG. Are you in favor of the overthrow of this Government by force and violence?

Mr. RODRIGUEZ. What is the question, sir?

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. Are you in favor of the overthrow of this Government by force and violence?

Mr. RODRIGUEZ. No, sir.

Mr. KUNZIG. Then are you a member of the Communist Party which is in favor?

Mr. RODRIGUEZ. I refuse to answer; same grounds, sir.

Mr. KUNZIG. I thought so, sir. Mr. Chairman, I have no further questions of this witness. It is obvious he is not going to answer.

Mr. CLARDY. Are you connected, however remotely, in any way with the Communist Party or any of its active fronts?

Mr. RODRIGUEZ. I refuse to answer that question on my constitutional rights.

Mr. CLARDY. Do I understand correctly that you were born in Tampa; a native-born American citizen?

Mr. RODRIGUEZ. Yes, sir.

Mr. CLARDY. You have lived in the Florida area all your life?

Mr. RODRIGUEZ. Almost all my life.

Mr. CLARDY. I didn't hear you clearly. Have you resided anywhere else.

Mr. RODRIGUEZ. No, sir.

Mr. CLARDY. Have you ever attended anything in the nature of a Communist school?

Mr. RODRIGUEZ. I refuse to answer that question on the same grounds.

Mr. CLARDY. I didn't catch what your present occupation is. What are you doing at the moment?

Mr. RODRIGUEZ. I manufacture cigars. I make cigars.

Mr. CLARDY. You own the business yourself?

Mr. RODRIGUEZ. No; I work for somebody. I am a wage earner.

Mr. CLARDY. That is all I have, Mr. Chairman.

Mr. SCHERER. What union do you now belong to?

Mr. RODRIGUEZ. I refuse to answer that question.

Mr. VELDE. You are directed to answer the question. There is nothing wrong with that.

Mr. RODRIGUEZ. I refuse to answer the question, sir, on my constitutional grounds.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. SCHERER. Do you belong to a union?

Mr. RODRIGUEZ. I refuse to answer that question, sir.

Mr. SCHERER. I ask that the witness be directed to answer the question.

Mr. VELDE. You are directed to answer the question, Mr. Witness.

Mr. RODRIGUEZ. Yes; I belong to a union.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. SCHERER. What union do you belong to?

Mr. RODRIGUEZ. The cigar-makers' union.

Mr. SCHERER. And have you ever been an officer of that union or any other union?

Mr. RODRIGUEZ. Yes, sir; I was an officer.

Mr. SCHERER. What office did you hold in the union?

Mr. RODRIGUEZ. I was secretary of the union.

Mr. SCHERER. When were you secretary of the union, approximately?

Mr. RODRIGUEZ. I think it was in 1939.

Mr. SCHERER. Have you held any other office with the union?

Mr. RODRIGUEZ. Well, I was temporary chairman.

Mr. SCHERER. Is that all? Are those all the offices you held?

Mr. RODRIGUEZ. That is right, sir.

Mr. SCHERER. While you were an officer of the union were you a member of the Communist Party?

Mr. RODRIGUEZ. I refuse to answer that question, sir.

Mr. SCHERER. Did the Communist Party ever give you any instructions with reference to activities of the union?

Mr. RODRIGUEZ. I refuse to answer that question, sir.

Mr. SCHERER. If you were not a member of the Communist Party, would you so state?

Mr. RODRIGUEZ. I refuse to answer that question.

Mr. SCHERER. I have no further questions, Mr. Chairman.

Mr. VELDE. Mr. Doyle?

Mr. DOYLE. I noticed when counsel asked you whether or not you heard the testimony of the witness who identified you as a member of the Communist Party yesterday, you replied, "Part of it." I couldn't tell from that answer what part of the identifying testimony of the witness identifying you, you had heard. Did you hear that part of the testimony in which he identified you as a member of the Communist Party?

Mr. RODRIGUEZ. Yes, sir.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. DOYLE. Was his identification of you correct?

Mr. RODRIGUEZ. I refuse to answer that question.

Mr. DOYLE. Was he telling the truth when he identified you as a member of the Communist Party?

Mr. RODRIGUEZ. I refuse to answer that question, sir.

Mr. DOYLE. In answering the question of one of my colleagues as to whether or not you were a member of a union, you gave the name of the cigarmakers union. Do you remember that?

Mr. RODRIGUEZ. Yes.

Mr. DOYLE. And when you were asked if you were a member of the Communist Party you claimed the privilege of the fifth amendment.

Mr. RODRIGUEZ. I refuse to answer the question on the same grounds.

Mr. DOYLE. I haven't asked the question yet.

Mr. RODRIGUEZ. Excuse me. I am hard of hearing.

Mr. DOYLE. I recognize that you are ready to plead the amendment but don't do it before I ask you the question please.

Mr. RODRIGUEZ. I beg your pardon.

Mr. DOYLE. Why did you state with some pride that you were a member of the cigarmakers union and refuse to answer the question on whether or not you were a member of the Communist Party? Is there a difference?

Mr. RODRIGUEZ. I refuse to answer that question.

Mr. DOYLE. What is the difference between the function of your union and that of the Communist Party? Why did you plead the fifth amendment on the Communist Party but not on your union?

Mr. RODRIGUEZ. I refuse to answer that question, sir.

Mr. DOYLE. I know there is a great difference. I think you, with a great deal of pride, clarified the difference. I hope you don't want the union tied up with the Communist Party in any way. Of course, we have evidence to the fact that many of you in the union are also leaders in the Communist Party. That is one of the games of the Communist Party, to get the union leaders more loyal to the Communist Party than to the union. The purpose of this question—and I am assuming that you are interested in uncovering any subversive act or intent in the Florida area by any person or any group of persons—Do you know of any activities by the Communist Party in Florida?

Mr. RODRIGUEZ. I refuse to answer that question, sir.

Mr. DOYLE. At the time you were an officer in the cigarmakers union did you observe any activities of the Communists in the union toward trying to control it?

Mr. RODRIGUEZ. I refuse to answer the question.

Mr. DOYLE. Are you now an officer of that union?

Mr. RODRIGUEZ. No, sir.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. DOYLE. How long is it since you have been?

Mr. RODRIGUEZ. Oh, since 1939, I think; 1938 or 1939.

Mr. DOYLE. How long is it since you have been a member of the Communist Party in Florida?

Mr. RODRIGUEZ. I refuse to answer that question, sir.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. DOYLE. I think that is all, Mr. Chairman.

Mr. VELDE. Mr. Rodriguez, have you ever been a member of the armed services?

Mr. RODRIGUEZ. No, sir.

Mr. VELDE. In the event of a shooting war, if the United States was on one side and Soviet Russia on the other, would you fight for the United States or Soviet Russia?

Mr. RODRIGUEZ. Well, I would fight for my country.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. VELDE. Your country is the United States of America?

Mr. RODRIGUEZ. My country is my country. I will fight to keep it right. If it is wrong, to put it right.

Mr. CLARDY. How is that?

Mr. RODRIGUEZ. I will fight for my country.

Mr. CLARDY. You said something about wrong and right. I didn't get that.

Mr. RODRIGUEZ. If it is wrong to put it right; and if it is right, I will fight for my country.

Mr. CLARDY. You will fight for your country, right or wrong.

Mr. RODRIGUEZ. I will fight for my country.

Mr. VELDE. Apparently you are not answering questions telling of your past communistic activities.

Mr. RODRIGUEZ. I refuse to answer that question.

Mr. KUNZIG. Do you consider the Communist Party and the actions of the Communist Party to be right, as you just said, to keep it right; to keep things right?

Mr. RODRIGUEZ. I refuse to answer that question.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. Were you ever expelled from your union for Communist activities?

Mr. RODRIGUEZ. I refuse to answer the question, sir.

(At this point Mr. Rodriguez conferred with Mr. Eldred.)

Mr. KUNZIG. Mr. Rodriguez, isn't it a fact that you were expelled from the union for Communist activities and later reinstated?

Mr. RODRIGUEZ. I refuse to answer that question.

Mr. KUNZIG. I have no further questions.

Mr. VELDE. The witness will be excused. Call the next witness, Mr. Counsel.

Mr. KUNZIG. Mr. Joseph Soloman.

Mr. VELDE. Will you raise your right hand, please. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOLOMAN. I do.

Mr. KUNZIG. Would you state your name, please.

TESTIMONY OF JOSEPH SOLOMAN

Mr. SOLOMAN. Joseph Soloman.

Mr. KUNZIG. What is your address, please, Mr. Soloman?

Mr. SOLOMAN. 817 Meridian Avenue, Miami Beach.

Mr. KUNZIG. I note that you are not accompanied by counsel, Mr. Soloman. Everybody has the right of counsel. Do you desire to testify without counsel?

Mr. SOLOMAN. To be honest, in observing the last few days counsel can do very little and I can't afford it.

Mr. CLARDY. I want to put you straight about what counsel can do here. Counsel has the right to advise you constantly of your rights. He sits right there at your side and advises you which is actually not permitted in a court of law. Actually, you have more rights than in a court of law. He can even put words right in your ear and you can be advised on every question as to your legal and constitutional rights.

Mr. KUNZIG. Will you testify without counsel?

Mr. SOLOMAN. I am sure the committee won't let me go astray.

Mr. SCHERER. Go astray?

Mr. SOLOMAN. I mean on my constitutional rights the committee won't let me go astray.

Mr. KUNZIG. What is your present occupation?

Mr. SOLOMAN. Tailor.

Mr. KUNZIG. Where is your tailor shop?

Mr. SOLOMAN. 317 23d Street, Miami Beach.

Mr. KUNZIG. Where were you born, Mr. Soloman?

Mr. SOLOMAN. Ukraine. You can call it Russia; part of Russia.

Mr. KUNZIG. That was part of Russia when you were born?

Mr. SOLOMAN. Yes.

Mr. CLARDY. It is that part of Russia called White Russia?

Mr. SOLOMAN. I don't think so.

Mr. KUNZIG. When did you come to this country, Mr. Soloman?

Mr. SOLOMAN. In 1913.

Mr. KUNZIG. Are you today a citizen?

Mr. SOLOMAN. Yes, sir.

Mr. KUNZIG. When did you become a citizen?

Mr. SOLOMAN. November 1938.

Mr. KUNZIG. You were not a citizen from 1913 to 1938?

Mr. SOLOMAN. No.

Mr. KUNZIG. Where did you become a citizen in 1938?

Mr. SOLOMAN. In Massachusetts; Boston.

Mr. KUNZIG. How long have you lived in Miami or this area?

Mr. SOLOMAN. Since 1942.

Mr. KUNZIG. Have you been in the tailoring business the entire time?

Mr. SOLOMAN. All the time.

Mr. KUNZIG. Give me a brief résumé of your education or schooling.

Mr. SOLOMAN. I come here in 1913. I was a young fellow, maybe 18. I didn't have the opportunity to get a high education. I had to go to work immediately.

Mr. KUNZIG. Did you go to school in Russia at all?

Mr. SOLOMAN. No, I'm sorry. We were under the Czar and there was not much opportunity to go to school. I had to go to work and I

had some night school; but at nights I cannot go much. In our business the work comes seasonal when we have to work nights.

Mr. SCHERER. Did I understand you correctly to say that under the Czar you had little opportunity for schooling?

Mr. SOLOMAN. That is right.

Mr. SCHERER. Do you think that condition has improved over there?

Mr. SOLOMAN. I haven't lived under the condition now. I don't know.

Mr. SCHERER. You say you have no knowledge, then, of present conditions?

Mr. SOLOMAN. No.

Mr. SCHERER. Then you don't mean to draw any comparisons by your answer?

Mr. SOLOMAN. No, sir.

Mr. CLARDY. When were you born?

Mr. SOLOMAN. 1895.

Mr. CLARDY. You left there in what year?

Mr. SOLOMAN. 1913.

Mr. CLARDY. Then you left before the revolution by some 4 years?

Mr. SOLOMAN. Yes, sir.

Mr. CLARDY. You never lived under the Soviet regime?

Mr. SOLOMAN. No, sir.

Mr. CLARDY. You have no comparison of how Russia existed when you lived there and how it exists now?

Mr. SOLOMAN. Specifically not.

Mr. KUNZIG. Mr. Soloman, you appeared before this committee or a subcommittee of this committee in Miami, Fla., on March 3, 1948. Is that correct?

Mr. SOLOMAN. That is correct.

Mr. KUNZIG. You were sworn in and testified at that time?

Mr. SOLOMAN. That is correct.

Mr. KUNZIG. You testified at an executive session at that time which was not made public?

Mr. SOLOMAN. That is correct.

Mr. KUNZIG. Let me ask you if you have ever been a member of the Communist Party?

Mr. SOLOMAN. I would like to invoke the fifth amendment, because the answer might tend to incriminate me.

Mr. KUNZIG. Are you now a member of the Communist Party?

Mr. SOLOMAN. I refuse to answer on the same ground.

Mr. KUNZIG. Let me ask you this, Mr. Soloman. This is most interesting, I think. On March 3, 1948, you were asked by this committee: "Mr. Soloman, have you ever been a member of the Communist Party in the United States?" And you said "No." Why have you changed your answer today?

Mr. SOLOMAN. I won't answer on the same ground.

Mr. KUNZIG. Were you telling the truth when you said under oath, "No," you were not a member of the Communist Party?

Mr. SOLOMAN. I won't answer on the same ground.

Mr. KUNZIG. Let us tie it down to the exact date you were asked the question, March 3, 1948. Were you a member of the Communist Party on March 3, 1948, when you appeared before the subcommittee of this committee?

Mr. SOLOMAN. I won't answer on the same ground.

Mr. KUNZIG. Have you joined the Communist Party since 1948?

Mr. SOLOMAN. I will not answer on the same ground, sir.

Mr. SCHERER. I was not paying attention. Does he refuse to answer your question as to whether or not he has ever been a member of the Communist Party?

Mr. KUNZIG. That is correct, sir. He refuses to answer.

Mr. VELDE. In 1948 he denied he was a member of the Communist Party at that time or at any time before that.

Mr. KUNZIG. The question was specifically asked, "Have you ever been a member of the Communist Party?" And he said, "No."

Mr. CLARDY. You indicated earlier that you recall appearing before the committee in 1948. You now recall this specific testimony, do you not?

Mr. SOLOMAN. I certainly do.

Mr. CLARDY. You recall specifically that you made the answer to the question that has been propounded to you now?

Mr. SOLOMAN. I do.

Mr. CLARDY. Now, having said in 1948 that you were not a member of the Communist Party, it obviously leaves two conclusions that we can reach: either you were not telling the truth at that time or you were telling the truth and something happened since that date. I want to ask you this question: Has anything happened with your relations with the Communist Party since you testified before this committee in 1948?

Mr. SOLOMAN. I won't answer on the same ground.

Mr. CLARDY. Are you acquainted with the fact that in 1948 other witnesses appeared before this committee in connection with a general investigation?

Mr. SOLOMAN. I won't answer.

Mr. CLARDY. Have you talked with any other witness who appeared in 1948 before this committee?

Mr. SOLOMAN. I won't answer.

Mr. SCHERER. When did you say you were naturalized?

Mr. SOLOMAN. November 1938.

Mr. SCHERER. Were you asked at the time you were naturalized whether or not you were a member of the Communist Party?

Mr. SOLOMAN. I really don't remember.

Mr. SCHERER. However, if you were asked, what would have been your answer?

Mr. SOLOMAN. I can't answer that. I don't think I can answer that. They didn't ask me. How would I know what I would say. It would be impossible.

Mr. SCHERER. Were you a member of the Communist Party?

Mr. SOLOMAN. I won't answer on the same ground.

Mr. SCHERER. You have no recollection of whether you were asked at that time whether you were a member of the Communist Party?

Mr. SOLOMAN. No, sir.

Mr. SCHERER. Or whether you were a member of any organization dedicated to the overthrowing of this Government?

Mr. SOLOMAN. I really don't remember. I went through plenty since then. I had a boy killed in the last war. I had a young kid who died in Germany. He knew what he was fighting for. He was fighting for this country and the eliminating of the Jews by Hitler at that time.

Mr. SCHERER. Did you ever join the Armed Forces?

Mr. SOLOMAN. No; but I tried to join the Navy but I was refused on account of my teeth. I wanted to do what the boy was doing; to fight at that time too.

Mr. SCHERER. You were primarily interested in the fight against the Nazis, were you not?

Mr. SOLOMAN. No, sir; this country comes first—I mean fighting against the Nazis. I didn't realize what I said.

Mr. SCHERER. When did you try to join the Navy?

Mr. SOLOMAN. Actually, right at the beginning of the war when my boy was called into the service. I don't remember the date. I felt I wanted to join with him. I was too old for the Army. I went to join the Navy because I was told they wanted older men.

Mr. SCHERER. That was before the Hitler-Stalin pact.

Mr. SOLOMAN. I don't know anything about that, sir.

Mr. SCHERER. In view of the testimony of this witness, Mr. Chairman, I think this is a matter for the executive session of this committee to determine whether or not proceedings should be started to denaturalize in this case.

Mr. VELDE. The Chair concurs and the matter will be taken up at the executive session.

Mr. KUNZIG. You say you tried to join the Navy. Were you a member of the Communist Party when you tried to join the Navy?

Mr. SOLOMAN. I refuse to answer.

Mr. KUNZIG. You were asked in 1948 if you made application to join the Communist Party. Let me ask you that question now. Have you ever made application to join the Communist Party?

Mr. SOLOMAN. I refuse to answer that on the same ground.

Mr. KUNZIG. When you were asked in 1948 you said, "No"; a clear, unequivocal "No." But your answer to the question today is that you refuse to answer on the ground it may incriminate you?

Mr. SOLOMAN. That is correct.

Mr. KUNZIG. Were you in the courtroom when Mr. Waller testified here?

Mr. SOLOMAN. I was.

Mr. KUNZIG. Did you hear Mr. Waller identify you as having been a member of the Communist Party?

Mr. SOLOMAN. I did.

Mr. KUNZIG. Was he correct in his identification?

Mr. SOLOMAN. I refuse to answer on the same ground.

Mr. KUNZIG. I asked Mr. Waller who else was a member of the Communist Party and he said, "Joe Soloman." I asked him to describe Joe Soloman further and he said, "Joe was rather a slim-built guy pushing his sixties. What his occupation was, I don't know. But I attended closed Communist Party meetings with him, sir." Did you ever attend closed Communist Party meetings with Mr. Waller?

Mr. SOLOMAN. I refuse to answer.

Mr. KUNZIG. Isn't it a fact that you knew Mr. Waller very well and that you did go to the Communist Party meetings with him and were a member of the Communist Party?

Mr. SOLOMAN. I refuse to answer.

Mr. KUNZIG. Are you in favor of Communist control of the Government here in America instead of the form of government we have?

Mr. SOLOMAN. I refuse to answer.

Mr. KUNZIG. Do you think your life is better here than if you are sent back to Russia, which is a possibility?

Mr. SOLOMAN. I refuse to answer.

Mr. KUNZIG. I have no further questions.

Mr. CLARDY. Coming back to your prior testimony again briefly, at that time I gather from the record that you didn't even hesitate for a second to deny any connection with the Communist Party. You admit you recall that fact, and you answered as I have just indicated. Now, are we going to find you after a period of time is over issuing statements to the press or getting into the public attention somehow and saying that you didn't have an opportunity to deny the things that have been said here by Mr. Waller and the other witnesses?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. A great many people refuse to answer before the committee but become very voluminous when they are not under oath. I am wondering if you are going to be one of those who, after you are released from the oath of the committee, will give the answers to the questions you now refuse to answer. What can I expect in that connection?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. You volunteered the information to start with that the educational facilities were not all you would like under Czarist Russia. You were about 18 when you left there?

Mr. SOLOMAN. Eighteen; maybe eighteen and a half.

Mr. CLARDY. You did attend some school during that time?

Mr. SOLOMAN. In this country.

Mr. CLARDY. None in Russia?

Mr. SOLOMAN. No; in the Jewish school.

Mr. CLARDY. No other school other than the Jewish school in Russia?

Mr. SOLOMAN. That is right.

Mr. CLARDY. Were you at any time subject to military service before you left there?

Mr. SOLOMAN. No, sir.

Mr. CLARDY. There was no draft or any sort of military training before you left?

Mr. SOLOMAN. No, sir.

Mr. CLARDY. Wasn't there some kind of requirement for military service in Russia?

Mr. SOLOMAN. Twenty-one years, I think.

Mr. CLARDY. Only after you reached the age of 21, is your understanding?

Mr. SOLOMAN. That is my understanding.

Mr. CLARDY. You never served in the Russian Czarist Army or had any military training while you were there?

Mr. SOLOMAN. No, sir.

Mr. CLARDY. Have you attended any Communist school of any kind while in America?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. Have you attended a Communist school devoted to instructions of how to sabotage and disrupt American production?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. Do you know that the Communists conduct such a school?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. You say you didn't know anything about the Hitler-Stalin Pact?

Mr. SOLOMAN. (Witness does not answer.)

Mr. CLARDY. Is that a fact?

Mr. SOLOMAN. Just what I read in the papers.

Mr. CLARDY. You read in the papers that for awhile they were traveling down the same road, did you not?

Mr. SOLOMAN. I read in the papers what everybody knows about.

Mr. CLARDY. Since that time have you studied Communist literature of any kind dealing with that subject?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. Do you subscribe to a Communist newspaper?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. Do you presently have here or at home any Communist literature of any kind?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. Have you received any document in the past 6 months or so called the American Way of Peace, and so forth?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. You won't be incriminated. They send that to everybody; even the members of the committee.

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. You never heard of it?

Mr. SOLOMAN. I refuse to answer.

Mr. CLARDY. No further questions.

Mr. DOYLE. You volunteered the fact that your own boy was killed in the last war. There are over 400 Members in the House of Representatives and some of those men lost their sons in the last war, too. Under Public Law 601, it is part of our responsibility to the American people and Congress to study and find out not only the extent or the nature of the subversive activities in the United States of the Communist Party or any other group of persons; but to go into the realm of recommendations for legislation dealing with subversive activities of the Communist Party or any other group. I am asking you this question and I am quite aware that you are taking refuge behind the fifth amendment in refusing to answer questions today and the fact that in 1948 you testified you were not a member of the Communist Party. I am going to ask you this—and we have not met before—have you any recommendation to the United States Congress so far as legislation is concerned in the field of subversive activities?

Mr. SOLOMAN. Not at this time.

Mr. DOYLE. Will we be able to get the benefit of your recommendation later?

Mr. SOLOMAN. I hope so. I have no objection.

Mr. DOYLE. I invite you to send to us your recommendations.

Mr. SOLOMAN. I could send it through the representative of my district; my Congressman or Senator.

Mr. DOYLE. Will you do that and say Congressman Doyle invited you to send your recommendations through your Congressman of any legislation you may have in the field of subversive activities? Will you accept my invitation?

Mr. SOLOMAN. Sure will.

Mr. VELDE. I don't want to disagree with my friend from California, but I doubt that he will. Did you belong to any youth organizations of any kind while you were in Soviet Russia?

Mr. SOLOMAN. No, sir.

Mr. VELDE. Did you attend a church?

Mr. SOLOMAN. The Jewish church; yes, sir.

Mr. VELDE. No one with any organization connected whatsoever?

Mr. SOLOMAN. No, sir.

Mr. VELDE. I take it that you are going to refuse to give us any information whatsoever as a committee of the Congress of the United States. Is that true? You are going to refuse to give any information whatsoever?

Mr. SOLOMAN. I refuse to answer all the questions you asked to now. Ask me more, and I will see.

Mr. CLARDY. Congressman Doyle talked about the recommendation for legislation. I wonder if you joined any Communist petition asking for this committee to be abolished?

Mr. SOLOMAN. I refuse to answer.

Mr. DOYLE. I asked for the witness's recommendation; and, of course, I think you gentlemen know that during the 8 years I have been in Congress I have always sought the opinions of men.

Mr. CLARDY. I don't think the chairman said he wouldn't recommend it. He said he doesn't see much possibility of getting it.

Mr. DOYLE. I asked this man to send in his recommendations in good faith through his own Congressman; and I think it is very important that I, as a member of this committee, know the ideas of this man.

Mr. CLARDY. We might ask him the question if he expects to make any recommendations to the district attorney on efforts to uncover communism.

Mr. SCHERER. I rather suspect, gentlemen, you would get no reply. It might incriminate him.

Mr. VELDE. Anything else from this witness?

Mr. KUNZIG. Nothing further.

Mr. VELDE. The witness is excused. Who is your next witness, Mr. Counsel?

Mr. KUNZIG. Frank Fernandez.

Mr. VELDE. Would you raise your right hand, please, and be sworn? In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FERNANDEZ. I do.

Mr. KUNZIG. State your full name, please, sir.

TESTIMONY OF FRANK FERNANDEZ, ACCOMPANIED BY QUENTIN T. ELDRD, HIS COUNSEL

Mr. FERNANDEZ. Frank Fernandez.

Mr. KUNZIG. What is your address?

Mr. FERNANDEZ. 1516 East Columbus Drive.

Mr. KUNZIG. Where is that?

Mr. FERNANDEZ. That is in Tampa.

Mr. KUNZIG. I see you are accompanied by counsel. Would counsel once again state his name and address for the record?

Mr. ELDRD. Quentin T. Eldred, 517 Security Building.

Mr. KUNZIG. Where were you born, Mr. Fernandez?

Mr. FERNANDEZ. In Cuba.

Mr. KUNZIG. When did you come to this country?

Mr. FERNANDEZ. As my father and mother told me, I came when I was about 4 years old.

Mr. KUNZIG. When did you become a citizen?

Mr. FERNANDEZ. I will say in 1941 or 1942. I'm not sure.

Mr. KUNZIG. 1941 or 1942. Where did you become a citizen?

Mr. FERNANDEZ. In Tampa.

Mr. KUNZIG. You are a naturalized citizen?

Mr. FERNANDEZ. Yes, sir.

Mr. KUNZIG. Where did you go to school, Mr. Fernandez?

Mr. FERNANDEZ. Grammar school.

Mr. KUNZIG. Where?

Mr. FERNANDEZ. Tampa.

Mr. KUNZIG. Is that the total schooling you have had; 6 years of school?

Mr. FERNANDEZ. I am not sure. I am not very sure. Maybe 6 or 7. Something like that.

Mr. KUNZIG. Where have you worked? Tell us the main places you have worked, Mr. Fernandez.

Mr. FERNANDEZ. I worked in the Regensburg factory.

Mr. KUNZIG. How long did you work there?

Mr. FERNANDEZ. More or less about 17 years.

Mr. KUNZIG. What sort of work did you do there, Mr. Fernandez?

Mr. FERNANDEZ. I make cigars.

Mr. KUNZIG. Are you a member of a union?

Mr. FERNANDEZ. Yes, sir.

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. KUNZIG. What union are you a member of?

Mr. FERNANDEZ. American Federation of Labor.

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. KUNZIG. What union? What is the name of the local?

Mr. FERNANDEZ. Cigar makers union.

Mr. KUNZIG. Do they have a number?

Mr. FERNANDEZ. Yes, sir.

Mr. KUNZIG. What is it?

Mr. FERNANDEZ. Five hundred.

Mr. KUNZIG. Have you ever been a member of the Communist Party?

Mr. FERNANDEZ. I refuse to answer on the grounds that my answer may tend to incriminate me. I invoke the constitutional privilege under the fifth amendment.

Mr. KUNZIG. Are you now a member of the Communist Party?

Mr. FERNANDEZ. I refuse to answer the question on the same ground.

Mr. KUNZIG. Were you present in the courtroom when Jose Tamargo testified?

Mr. FERNANDEZ. Yes, yes.

Mr. KUNZIG. Did you hear Jose Tamargo identify you as a member of the Communist Party?

Mr. FERNANDEZ. I heard him.

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. KUNZIG. Was that identification of you as a member of the Communist Party correct?

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. Mr. Tamargo, Mr. Fernandez, testified he paid dues to various individuals and as read a few moments ago in the case of Mr. Rodriguez, he testified he paid dues to one Frank Fernandez.

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. I haven't asked you yet.

Did you collect Communist Party dues from Mr. Tamargo?

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. Do you know Mr. Tamargo?

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. Did you ever see Mr. Tamargo, before yesterday?

Mr. FERNANDEZ. I refuse.

Mr. KUNZIG. We will assume it is all on the same ground, the fifth amendment.

Mr. FERNANDEZ. Correct.

Mr. KUNZIG. Have you engaged in any Communist activity in your union, Mr. Fernandez?

Mr. FERNANDEZ. I refuse.

Mr. KUNZIG. This is a very important point. Mr. Fernandez, are there any Communist activities going on within your union?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. Have you ever been an officer of any kind in your union?

At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. What kind of office do you mean?

Mr. KUNZIG. Did you have any post of any kind in the union?

Mr. FERNANDEZ. I had it once, but it was a long time.

Mr. KUNZIG. What was that post?

Mr. FERNANDEZ. I belonged to the advisory board.

Mr. KUNZIG. The advisory board. Were you a member of the Communist Party when you belonged to the advisory board of the union?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. Have you ever delivered the Daily Worker in Tampa?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse.

Mr. KUNZIG. I have here a newspaper clipping, marked "Fernandez Exhibit 1" for identification, "Mystery Man Who Delivers Red Daily Worker Here Ducks Reporter's Question."

Then it goes on about the Tribune in Tampa taking a picture of a man and describes in detail picking up the Red paper. It is dated

July 18, 1954, this year, and there is a picture here, headed, "Man Who Picked Up Red Paper Here." It says he was reluctant to have his picture taken, threw his arm in front of his face and drove away quickly in a 1949 Chevrolet automobile. Do you drive a 1949 Chevrolet automobile?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. Yes, sir.

Mr. KUNZIG. You do?

Mr. FERNANDEZ. Yes, sir.

Mr. KUNZIG. Are you the man who is being mentioned in this paper?

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. I am going to ask Mr. Fuoss, the investigator for the committee, to take this picture and let you look at it, and ask you, Isn't that a picture of you, yourself?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. DOYLE. I think the record should show the witness and counsel are closely observing the picture submitted.

Mr. FERNANDEZ. I refuse.

Mr. CLARDY. You don't deny that is your picture?

Mr. FERNANDEZ. I refuse.

Mr. KUNZIG. You refuse to answer that on the same grounds?

I would like to offer this newspaper article in evidence Mr. Chairman, as exhibit 1, Fernandez, because it is most obviously a picture of this witness.

Mr. VELDE. Without objection, it will be received.

(Thereupon the newspaper article referred to above was received in evidence as exhibit 1, Fernandez, without objection.)

Mr. KUNZIG. Did you get paid for picking up these papers and delivering them?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. DOYLE. It isn't clear to me what paper it is.

Mr. KUNZIG. It is the Daily Worker. The Daily Worker is the main Communist outlet and organ in the United States of America.

Why was this picking up of the Daily Worker in Tampa of this year such a secret operation?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. Why did you refuse to tell the newspaper reporter frankly what you were doing?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. KUNZIG. In America today it is legal to read newspapers. Why do you refuse to answer?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. There is an interesting detail in the story I would like to inquire about. It says, in describing you here, that you were dressed in a loud red pattern and short-sleeved sport shirt at the time. Do you possess a shirt of that kind?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. How much do you weigh?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I weigh now about 170.

Mr. CLARDY. 170?

Mr. FERNANDEZ. Less than 170.

Mr. CLARDY. Now, you say. What did you weigh in July?

Mr. FERNANDEZ. I don't remember.

Mr. CLARDY. The reporter here says you are of average height and weight about 180 pounds. He probably wouldn't qualify on one of the county fair guessing contests, if you only weigh 170.

It also says you picked up these papers at about 4:20 in the afternoon. Do you have any recollection of about the time you did pick them up on that July day?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. How frequently have you picked up papers at the terminal there?

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. The article also says that the bundle contained about 100 papers. Is that an accurate estimate?

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. You have heard of the Daily Worker, have you not?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. And you know they have a Sunday edition in addition to their regular daily edition, don't you?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. DOYLE. It seems to me my colleague seems to know more about the Daily Worker than the witness.

Mr. CLARDY. I suppose it is our business to know, and despite your innocent statement, I am sure you know just as much.

The article also says that at one time the papers did not arrive on time and you raised quite a fuss about it. Do you recall such an incident?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. Do you know the correct name of the newspaper which published this article? It is described in here as written by a Mr. Tom O'Connor, Tribune staff writer. Do you know Mr. Tom O'Connor, or the paper for which he writes?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I know the Tribune.

Mr. CLARDY. Where is it published?

Mr. FERNANDEZ. In Tampa.

Mr. CLARDY. And do you know Mr. O'Connor?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. CLARDY. He made himself known to you on the day you picked up the bundle, and the picture was taken, did he not?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. At that time, didn't you, however, acknowledge to someone that you were picking up the Daily Worker?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. Did you have some conversation at that time with the porter who handled the papers for you?

(At this point Mr. Fernandez conferred with Mr. Eldred.)

Mr. FERNANDEZ. I refuse to answer.

Mr. CLARDY. I guess that is all I have on that. Apparently he is not going to answer anything about it.

Mr. SCHERER. We did not do any better than the reporter of this article, which says, "Mystery man who handles Red Daily Worker ducks question." No further questions.

Mr. VELDE. No further questions of this witness, but before we excuse him, I would like to say to Mr. Eldred that the Committee on Un-American Activities appreciates the service rendered by him. It is a patriotic service you have rendered. I am sure the people will appreciate it a great deal. Nothing derogatory should be assumed from the fact you have represented a fifth amendment witness.

I would appreciate it if you would pay our thanks to the president of the Miami Bar Association.

Mr. CLARDY. Some time ago I noted in our paper up in Michigan that an attorney down here in your locality had taken the fifth amendment and the judge had, I think quite properly, taken action to disbar him.

It may interest you to know we had three attorneys before us, most, or all of which were on the Michigan hearings. I passed that information on to our bar association, but thus far no action has been taken.

I am glad to note that Florida, at least, has taken the proper steps, and the chairman has indicated that the bar down here and in other places has cooperated in supplying counsel for those unable to take care of that detail themselves.

Mr. VELDE. The committee will recess for 10 minutes.

(Thereupon, at 10:43 a. m., the hearing was recessed for 10 minutes.)

(Hearing resumed at 11:07 a. m.)

Mr. VELDE. Before we commence, Mr. Counsel, I should like to make an announcement.

Mr. Hirsch, I believe you are back there. The committee has decided it will no longer serve any useful purpose by hearing any further information from Mr. Hirsch,¹ so you are therefore excused. The committee also decided to recommend to the Attorney General that this record be studied for possible perjury charges.

Call your next witness, Mr. Counsel.

Mr. KUNZIG. Will Mrs. Hilda Shlafrock come forward?

Mr. VELDE. In the testimony you are about to give before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SHLAFROCK. I do.

Mr. KUNZIG. Would you state your full name, please?

TESTIMONY OF HILDA SHLAFROCK

Mrs. SHLAFROCK. Hilda Shlafrock.

Mr. KUNZIG. What is your present address, Mrs. Shlafrock?

Mrs. SHLAFROCK. 65 East Gun Hill Road, Bronx.

¹ Samuel Hirsch had previously appeared as a witness on November 29, 1954. See pt. 1 of this hearing for his testimony.

Mr. KUNZIG. I see you do not have counsel at your side. The committee, of course, under its rules, permits every witness to have counsel. I take it you are willing to testify without counsel?

Mrs. SHLAFROCK. I will be happy to cooperate. I am grateful for this opportunity.

Mr. KUNZIG. Mrs. Shlafrock, you and I have discussed this previously. It is my understanding you have been greatly troubled for quite some time because of the linking of your own name with that of your former husband, Max Shlafrock, as to Communist Party activity, and you volunteered to come here before this committee and set that record straight; is that correct?

Mrs. SHLAFROCK. Yes; I was very happy to do so.

Mr. VELDE. Will you speak up a little?

Mr. KUNZIG. Speak louder, because it is very difficult to hear.

Mrs. Shlafrock, were you married at any time to Max Shlafrock, who took the fifth amendment before this committee yesterday?

Mrs. SHLAFROCK. Yes; I was married to Max Shlafrock from 1940 to 1950.

Mr. KUNZIG. Have you, yourself, Mrs. Shlafrock, ever been a member of the Communist Party?

Mrs. SHLAFROCK. No; I haven't.

Mr. KUNZIG. You have had nothing to do with the Communist Party; is that correct?

Mrs. SHLAFROCK. No; I have never, never.

Mr. KUNZIG. Did you ever have any occasion to find out that your former husband was a member of the Communist Party?

Mrs. SHLAFROCK. Yes; I had that occasion. We were married about 4 months when he told me there was going to be a meeting in the house.

Mr. KUNZIG. Of the Communist Party?

Mrs. SHLAFROCK. A meeting, and I did not know what it was until the meeting was held, in my home, and I found out that must be a Communist Party meeting, because it was very different from the meetings I attended.

Mr. KUNZIG. What organizations?

Mrs. SHLAFROCK. I belong to the Nizra Hei—I believe, something like that, and to Hadassah.

Mr. KUNZIG. In other words, you mean this particular meeting was entirely different from ordinary groups, to which you belong, personally?

Mrs. SHLAFROCK. I saw immediately something was wrong, because the blinds were drawn, and the doors closed.

Mr. KUNZIG. Was the door locked?

Mrs. SHLAFROCK. Yes.

Mr. KUNZIG. Did your husband ever have occasion to tell you he was a member of the Communist Party?

Mrs. SHLAFROCK. Yes; I saw his membership card.

Mr. KUNZIG. He showed you his Communist Party membership card?

Mrs. SHLAFROCK. That is right.

Mr. KUNZIG. I know it was some time ago, but can you remember any of the names of the people who attended this Communist Party meeting in your home, this one meeting you referred to?

Mrs. SHLAFROCK. There were only 5 or 6 people. I don't know how many, but there was Joe Carbonell.

Then there was Mike McGrail. He was some business agent of the carpenters, or some local, in Miami.

Mrs. SHLAFROCK. Then there was a husband and wife by the name of Frank and Catherine, and I don't recall their last names.

Mr. KUNZIG. But in regard to McGrail and Carbonell, you saw them?

Mrs. SHLAFROCK. Yes.

Mr. CLARDY. That one meeting was held in Miami?

Mrs. SHLAFROCK. Yes, it has all been taking place in Miami.

Mr. KUNZIG. During the 10 years you have been married to Mr. Max Shlafrock, you have been living in Miami?

Mrs. SHLAFROCK. That is right.

Mr. KUNZIG. And as far as lies within your knowledge, was he active in attending and going to Communist meetings during that time?

Mrs. SHLAFROCK. I knew he attended meetings, and I always had some excuse.

Mr. KUNZIG. Did he try to urge you to become a Communist?

Mrs. SHLAFROCK. Yes.

Mr. KUNZIG. And you did not accept?

Mrs. SHLAFROCK. No.

Mr. KUNZIG. From consultation, Mr. Chairman, that is the total knowledge of this witness about this situation. Her experience is completely confined to what she has already testified, since she, herself, was not a member of the Communist Party. I therefore have no further questions.

Mr. DOYLE. I did not understand, Madam, where that one meeting was held. I mean the address, your residence, where that one Communist Party meeting was held.

Mrs. SHLAFROCK. It was in my home in Miami, when I first got married. I was married about 4 months.

Mr. DOYLE. Where was that?

Mrs. SHLAFROCK. 1857 Northwest 38th Street.

Mr. DOYLE. About when was that, what month?

Mrs. SHLAFROCK. I don't recall the month. I was married in February, and it was 4 or 5 months later, and that would have been about in July, or June, or somewhere around.

Mr. DOYLE. What time of day?

Mrs. SHLAFROCK. It wasn't during the day; it was in the evening.

Mr. DOYLE. About how long was the meeting?

Mrs. SHLAFROCK. I wouldn't remember. It took a while. I don't remember how long it was; I was putting the children to sleep, and I was busy with them. I don't remember exactly, but it took at least an hour, or more.

Mr. DOYLE. I noticed you stated you were very glad to come and set the record straight. What is your reason for voluntarily coming before this committee?

Mrs. SHLAFROCK. First of all, I want to clear my own conscience, and I have a daughter who was formally adopted by Mr. Shlafrock, and just recently, about a year ago, she got a position with the Government and she never got a clearance, because Mr. Shlafrock was a Communist. That is what they got down on that statement, and if there is any way I could just clear her name, I would do it, not so much for myself; and I have a son-in-law, who is an attorney, and I don't want to give him a bad start in life. He just got out of service.

Mr. DOYLE. I was sure it was a very worthy motive, and I have never met you before and asked you why his divorced wife should have come voluntarily?

Mrs. SHLAFROCK. Glad to do it.

Mr. DOYLE. Thank you very much.

Mr. VELDE. Mrs. Shlafrock, let me say on behalf of the committee, we do make every effort to clear up confusion which may exist in the minds of the public, in reference to any testimony that is brought before this committee, and I do hope in this case it serves a useful purpose, and we thank you for coming voluntarily before us.

You are excused now.

I have an appointment, and I have to leave, and I am appointing a subcommittee of Mr. Scherer, Mr. Doyle, and Mr. Clardy as subcommittee chairman.

(Representative Velde left the hearing at this point.)

Mr. KUNZIG. James Nimmo?

Mr. CLARDY. You do solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NIMMO. I do.

Mr. CLARDY. Be seated.

Mr. KUNZIG. Would you give us your full name?

TESTIMONY OF JAMES NIMMO

Mr. NIMMO. James B. Nimmo.

Mr. KUNZIG. That is N-i-m-m-o?

Mr. NIMMO. Correct.

Mr. KUNZIG. What is your present address, Mr. Nimmo?

Mr. NIMMO. 5104 Zehring Street, West Hollywood, Fla.

Mr. KUNZIG. That is Z-e-h-r-i-n-g?

Mr. NIMMO. Yes.

Mr. KUNZIG. I see you are not accompanied by counsel. You know your right to have counsel. Am I correct, you are willing to testify without counsel?

Mr. NIMMO. I am.

Mr. KUNZIG. Mr. Nimmo, when and where were you born?

Mr. NIMMO. I was born in the Bahamas, at Acklins Island.

Mr. KUNZIG. When were you born, Mr. Nimmo?

Mr. NIMMO. December 15, 1898.

Mr. KUNZIG. You are, then, 56 years of age at the present time?

Mr. NIMMO. I will be on the 15th of this month, sir.

Mr. KUNZIG. When, Mr. Nimmo, did you come to the United States?

Mr. NIMMO. In the year 1916, in the month of August.

Mr. KUNZIG. Are you today a naturalized citizen?

Mr. NIMMO. I am, sir.

Mr. KUNZIG. When did you become a naturalized citizen?

Mr. NIMMO. In 1927.

Mr. KUNZIG. Where?

Mr. NIMMO. In Miami, Fla.; here.

Mr. KUNZIG. And have you been a naturalized citizen of this country ever since that time?

Mr. NIMMO. I have, sir.

Mr. KUNZIG. How long have you resided in Miami, Fla.?

Mr. NIMMO. Ever since my arrival here, with the exception of about 18 or 19 months in the Army, when I went overseas in World War I.

Mr. KUNZIG. Did you volunteer for duty in World War I?

Mr. NIMMO. I did, sir.

Mr. KUNZIG. Where did you serve?

Mr. NIMMO. In France.

Mr. KUNZIG. And were you honorably discharged?

Mr. NIMMO. I was, sir.

Mr. KUNZIG. In 1919?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. What outfit did you serve with in France?

Mr. NIMMO. In the 310th Service Battalion, on the headquarters staff.

Mr. KUNZIG. Could you give the committee, Mr. Nimmo, a brief résumé of your education?

Mr. NIMMO. Well, I attended the public schools at my home.

Mr. KUNZIG. You mean in the Bahamas?

Mr. NIMMO. Yes, sir; and went as far as the sixth grade.

Mr. KUNZIG. Is that the sum total of your formal schooling?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. You did not attend schools here in the United States?

Mr. NIMMO. No, sir.

Mr. KUNZIG. Now will you give us a résumé of your employment record, where you have worked since you came to the United States?

Mr. NIMMO. Well, when I first came here, because of the fact I was an apprentice tailor, I worked at some tailor shops in the Negro area.

Mr. KUNZIG. Of Miami?

Mr. NIMMO. Yes, sir. I did some degree of alterations, and hand pressing.

Mr. KUNZIG. And then from 1918 to 1919, you have testified you were in the military service?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Starting with 1919, where did you work?

Mr. NIMMO. For a short period of time, I was employed by the Seybold Baking Co., after being discharged from service.

Mr. KUNZIG. Continue with your employment.

Mr. NIMMO. I think it was about 1921 I entered the dry-cleaning business. I worked in the dry-cleaning business continually from then until now, with the exception of about 6 years as international organizer for the Laundry International Union.

Mr. KUNZIG. When were you international organizer for the Laundry International Union?

Mr. NIMMO. From about 1945, I think it was, until 1953, I believe.

Mr. KUNZIG. Have you at any time ever been a member of the Communist Party?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. When?

Mr. NIMMO. I don't know exactly when I got into the party, but it was during the early forties.

Mr. KUNZIG. You were a Communist prior to the time when you became international organizer for the laundry union?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. When did you get out of the party?

Mr. NIMMO. About 1950.

Mr. KUNZIG. So from the early forties to 1950, you were a member of the Communist Party?

Mr. NIMMO. I was.

Mr. SCHIERER. Were you a member during the time you were international representative of the union?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. So far as it lies within your knowledge, did your Communist Party activities prior to 1945 have anything to do with your becoming international organizer for the union?

Mr. NIMMO. No, sir; none whatsoever.

Mr. KUNZIG. Was it known to the other members of the union you were a Communist Party member?

Mr. NIMMO. No, sir.

Mr. KUNZIG. Were any other members of the union known to be Communist Party members?

Mr. NIMMO. No, sir.

Mr. KUNZIG. As far as you know, you were the only one?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Did you know Charles Smolikoff?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Tell us about him, in detail, your knowledge of Mr. Smolikoff?

Mr. NIMMO. Well, it was in the early forties when a group of laundry and dry-cleaning workers were attempting, or at least were, I guess that will be right, attempting to organize themselves into a union. We were holding meetings over a period of time at the location of 4th Avenue and 19th Street, and during this period of time there arose some trouble in one of the plants where some of our members who had attended the union, it came to the knowledge of the employer of the plant in which these workers were employed, and they were discharged, and because of this, we held a meeting at the hall and as a result of this, other workers from plants other than the one where the workers were first discharged, attended the meetings also, and it resulted in a strike involving about four plants, City Laundry, French Benzol, Town Laundry—I think it was known then as the Economy Laundry—and I think a laundry in the Hialeah district. I don't just remember the name.

During this time we used to have large gatherings at our meeting place, and it was there on one occasion Mr. Smolikoff came to us, at least someone said a gentleman outside wanted to see you, and Mr. Smolikoff turned out to be the gentleman. He wanted to know if he could be of any assistance to us.

I don't know whether or not he was admitted into our meeting that night, but on several other occasions he did come around. We used to hold meetings regularly, every night, during the strike.

Mr. KUNZIG. Where was this?

Mr. NIMMO. At the meeting hall, not with the Laundry International; this was an independent, prior to the organization of the Laundry International Union.

Mr. KUNZIG. Where was this union hall?

Mr. NIMMO. Fourth Avenue and 19th Street; 4th Court, to be proper, and 19th Street.

Mr. KUNZIG. Continue, please.

Mr. NIMMO. And after some time, I don't just remember how long, he was admitted into our halls, and he did address our meetings and he gave us directions and guidance. This was during the war, also, and on 1 or 2 occasions he went to one of the dry-cleaning plants, City Dry Cleaning, and took a picture of loading trucks and he filed a petition for us at the War Labor Board, or National Labor Relations Board—I am not familiar which—to show the plant was handling war work and workers had a legitimate right to organize, and so on and so forth. It was during this period of time, and I don't know just how long it was, but he would then give me leaflets and pamphlets on communism, and he eventually invited me to meetings.

Mr. KUNZIG. Communist meetings?

Mr. NIMMO. Yes.

Mr. SCHERER. What was Smolikoff's connection with this union, if any?

Mr. NIMMO. No direct connection. He gave us voluntary service is all I can say.

Mr. SCHERER. Do I understand he injected himself into this controversy?

Mr. NIMMO. I guess you will have to say that.

Mr. SCHERER. Did the men know he was the Communist organizer?

Mr. NIMMO. Nobody knew it; I did not even at the time, sir.

Mr. KUNZIG. But you began to find out?

Mr. NIMMO. Yes.

Mr. SCHERER. He wasn't paid for his service at all?

Mr. NIMMO. No, sir.

Mr. SCHERER. By the union, at least?

Mr. NIMMO. No.

Mr. SCHERER. You don't know whether he was receiving his pay from the Communist Party, or not?

Mr. NIMMO. That, I don't know.

Mr. SCHERER. Over how long a period did this continue that he voluntarily loaned his services and advice to this group?

Mr. NIMMO. It might have been for a period of 2 months, or more, and then we became connected with a Mr. Florio who was district organizer here for the CIO, district 50 of the United Mine Workers.

Mr. SCHERER. Did Smolikoff's activities continue for the period of the strike?

Mr. NIMMO. Yes, it did.

Mr. SCHERER. After the strike was over, did he sever his connections with your group?

Mr. NIMMO. There wasn't a group, as such. After the strike was lost, let me put it that way, we became, Mr. Florio himself took us into district 50 of the United Mine Workers, and he carried on organizational activities for approximately a year.

Mr. SCHERER. That was after Smolikoff got out of the picture, wasn't it?

Mr. NIMMO. Smolikoff wasn't exactly out of the picture, because he still visited our meetings.

Mr. SCHERER. What was his occupation at the time?

Mr. NIMMO. I don't know.

Mr. SCHERER. He didn't tell you?

Mr. NIMMO. No, sir.

Mr. SCHERER. Do you know if he approached any person, other than yourself, concerning Communist Party activities?

Mr. NIMMO. Well, now, I don't know how to answer that. I assume so, sir.

Mr. SCHERER. Smolikoff, Mr. Fuoss, was one of the 15 or 20 we had subpoenaed but haven't been able to serve?

Mr. FUOSS. Correct.

Mr. CLARDY. I don't think the fact Smolikoff moved in on the strike is surprising. You remember the case in Washington where Communists moved in on the strike to direct it, not with an idea of winning the strike, but creating as much trouble as possible.

Mr. SCHERER. Or gaining converts.

Mr. DOYLE. As long as the question of serving Smolikoff with a subpoena has been raised, may I ask, Mr. Fuoss, whether due diligence and every reasonable effort has been made to serve him with that subpoena?

Mr. FUOSS. We have endeavored to serve it, but do not know his location.

Mr. DOYLE. My question is, Have you made every reasonable endeavor to serve him?

Mr. FUOSS. Yes, sir, certainly.

Mr. CLARDY. You have done that with others. You have their last-known address.

Mr. SCHERER. The United States marshal has attempted to help in serving these subpoenas.

Mr. KUNZIG. Will you tell us how you became a member of the Communist Party. Describe the actual membership you received?

Mr. NIMMO. As I said, he then gave me pamphlets on communism, and in a short period of time he invited me to meetings. I don't remember the first meeting, but I know it was at the CIO headquarters at 730 West Flagler Street.

Mr. CLARDY. You mean the first Communist Party meeting?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Did you just continue to attend these meetings? When did you finally consider, and Smolikoff consider you to be a member of the Communist Party?

Mr. NIMMO. I don't know when he considered me as being; all I know is I have been attending the meetings from then on. I never, in any official way, joined the party. I would always go to meetings whenever he requested me. It would just be Charlie would either call me or come to me, or we would be together.

You see, I worked with Smolikoff during the organization of the shipyard workers and also the Pan American workers.

Mr. SCHERER. What part did he play in the organization of the shipyard workers union?

Mr. NIMMO. As far as I know, he was the organizer for the group. That is what I always regarded.

Mr. SCHERER. Do you know what his occupation was during the time he was organizer for that group?

Mr. NIMMO. I never knew of any occupation of his. When he came to us, he came to us giving us assistance, and after Florio took us over, he would still visit our meetings, and sometime later he started organizing the shipyard workers.

Mr. SCHERER. Was that also on a voluntary basis?

Mr. NIMMO. I don't know. I wasn't a member of the outfit.

Mr. CLARDY. He was quite a busy fellow, volunteering his help all over the place.

Mr. SCHERER. Do you know whether Charles Smolikoff ever worked in the shipbuilding business?

Mr. NIMMO. I never knew him to work.

Mr. SCHERER. Actually, wasn't he paid by the Communist Party?

Mr. NIMMO. I assume the shipyard workers was affiliated with an international, the same as our laundry workers, and I would assume the international paid him a salary.

Mr. CLARDY. You do not know that was a fact?

Mr. NIMMO. No.

Mr. CLARDY. He had no visible means of support?

Mr. NIMMO. No.

Mr. SCHERER. Did you know whether he was paid by the Communist Party?

Mr. NIMMO. No, sir.

Mr. SCHERER. Do you know what his official position was with the Communist Party?

Mr. NIMMO. No, I don't know what his official position was. All I know is from all appearance, he was the leader here.

Mr. SCHERER. The leader in this community?

Mr. NIMMO. Yes, sir.

Mr. SCHERER. Of the Communist Party?

Mr. NIMMO. It appeared so to me, from all indications.

Mr. SCHERER. Wasn't he considered so by other members of the party, as the leader?

Mr. NIMMO. Well, to the best of my knowledge, yes.

Mr. CLARDY. Was that because he made the final decision or determination as to policy, whenever such a question would arise?

Mr. NIMMO. I will put it this way, generally it was Smolikoff—Smolikoff was the party, to me, and from what I gathered, he was the party.

Mr. CLARDY. He gave the orders and instructions and advise, is that right?

Mr. NIMMO. Yes, sir.

Mr. SCHERER. I think our staff, Mr. Chairman, should make every effort to serve Smolikoff and have him before the committee, because obviously here is a man, from what little testimony we have had here, who is guilty of violating the Smith Act, and perhaps his testimony might be helpful to the Attorney General in determining whether or not he should be proceeded against for advocating the policy of the Communist Party.

Mr. CLARDY. It is another matter we will take up during the noon recess.

Mr. KUNZIG. Mr. Nimmo, did you ever have any conversations with Smolikoff about Daily Worker subscriptions?

Mr. NIMMO. Yes, he has asked me to secure or get subscriptions for the Daily Worker.

Mr. CLARDY. Did you subscribe for it yourself?

Mr. NIMMO. No, sir. I have received it through the mail, but I never subscribed for it.

Mr. CLARDY. You said a while ago there was no formal step or action taken that brought you into the party. You had no formal initiation, but you considered yourself a member?

Mr. NIMMO. I was invited to, and attended meetings, and I went along.

Mr. CLARDY. With Smolikoff?

Mr. NIMMO. Yes, sir.

Mr. CLARDY. And I assume there came a time when you were also requested to pay dues?

Mr. NIMMO. Well, I want to be honest with you, dues have been mentioned, but I have never paid any dues.

Mr. CLARDY. You got by without doing that?

Mr. NIMMO. I guess I was carried.

Mr. SCHERER. Were you, perhaps, carried as a member of the Communist Party because you were international representatives of the laundry-workers union?

Mr. NIMMO. I wasn't an international representative of the laundry-workers union at the time I got in the party, sir.

Mr. SCHERER. After you were international representative, at some time you were in the party?

Mr. NIMMO. Yes, sir.

Mr. SCHERER. When were you international representative of the laundry-workers union?

Mr. NIMMO. From the year 1945 until 1953.

Mr. SCHERER. And you were in the party from what year?

Mr. NIMMO. Until 1950.

Mr. SCHERER. So at least 5 years you were in the party?

Mr. NIMMO. That is right, sir.

Mr. SCHERER. And were also international representative?

Mr. NIMMO. Yes, sir.

Mr. CLARDY. You have a distinction I don't think anybody else has. You are the first member I have run across who has not paid 10 cents a month, anyway, in dues.

Mr. NIMMO. Maybe I can clarify it by stating this; from what I can gather, maybe I have had other distinctions. I got into the party on what was known as the city committee, at the start. I never was belonging to a club group where they collect dues. I have seen representatives from the clubs report to the city committee about the collection of dues from their clubs, but I never belonged to a club; I always functioned only at the city committee, and as far as I know I have never seen any dues collected.

Mr. SCHERER. You started at the top city level?

Mr. NIMMO. Yes, sir.

Mr. CLARDY. You were more or less one of the commanding officers at the top?

Mr. NIMMO. That is where I found myself.

Mr. SCHERER. That is the first time we found out the top echelon did not have to pay dues.

Mr. CLARDY. You are the first witness who has appeared since I have been on the committee who has testified he was at one time a member but wasn't assessed dues, or gave them voluntarily. Wait a minute—did you make some voluntary contribution?

Mr. NIMMO. No, I don't recall making any voluntary contribution. I also attended a meeting where I saw approximately \$1,900 raised for the Daily Worker, and I did not give a donation there.

Mr. DOYLE. May I ask the witness, did you receive any contributions?

Mr. NIMMO. No, sir.

Mr. SCHERER. Usually it is the percentage of his salary; it depends on what you make. Did you know that?

Mr. NIMMO. I heard that in the discussions, that dues were paid on the basis of earnings.

Mr. SCHERER. What was that percentage?

Mr. NIMMO. I never heard what the exact percentage was.

Mr. SCHERER. In some cases it would run as high as 10 percent.

Mr. NIMMO. I don't know.

Mr. SCHERER. In some instances, I understand they tithe.

Mr. CLARDY. At any rate, you rendered the service requested, but you did not make financial contributions?

Mr. NIMMO. No, sir.

Mr. KUNZIG. Who was on this city committee with you? We are only interested in knowing the names of those who met at closed meetings of the city committee with you.

Mr. NIMMO. There were different people at different times. I don't know if I can correctly state all the people that were on the committee from time to time, but as best I can remember, there was, with the exception of Smolikoff and myself, there was a Mike Shantzek.

Mr. KUNZIG. How do you spell it?

Mr. NIMMO. I don't know.

Mr. KUNZIG. Pronounce it.

Mr. NIMMO. Mike Shantzek.

Mr. KUNZIG. It is spelled M-i-k-e S-h-a-n-t-z-e-k. Would you identify him a little further, Mike Shantzek?

Mr. NIMMO. I have always heard him talk about being a painter, and he is sort of heavy set.

Mr. KUNZIG. You knew him to be a member of the Communist Party, from your own personal knowledge?

Mr. NIMMO. Yes, sir, we attended closed meetings.

Mr. SCHERER. Was he still a member when you got out, when you left the party?

Mr. NIMMO. Frankly, I hadn't seen him for several years before I got out. I hadn't seen him for 2 or 3 years before I got out.

Mr. SCHERER. Then, of course, you don't know where he is today?

Mr. NIMMO. No, sir.

Mr. SCHERER. Or what he is doing?

Mr. NIMMO. No, sir, I don't. I only met with him when he was on the city committee. When they are not on the city committee, I wouldn't see them, unless they met with the city committee.

Mr. KUNZIG. He could still be a member of the Communist Party and you not see him.

Who else was a member of the city committee and met with you?

Mr. NIMMO. Tess Kantor.

Mr. KUNZIG. T-e-s-s K-a-n-t-o-r.

Man or woman?

Mr. NIMMO. Woman.

Mr. KUNZIG. Could you describe her a little further? Some identification?

Mr. NIMMO. She was a medium built woman. I think she would have what you call blonde hair—I don't know. She was very gay and affable. I heard mentioned she was a lawyer, I believe.

Mr. KUNZIG. But you are not sure?

Mr. NIMMO. I never heard her say so.

Mr. KUNZIG. Do you know where she lived?

Mr. NIMMO. At Miami Beach.

Mr. KUNZIG. And she was a member of the Communist Party city committee at Miami, with you?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. What period of time would that have been, Mr. Nimmo, to the best of your recollection?

Mr. NIMMO. Well, let me say maybe around 1945, 1946, 1947, probably; I don't know exactly.

Mr. KUNZIG. Who else was a member of the city committee?

Mr. NIMMO. Leah Adler.

Mr. KUNZIG. Have you ever heard her called Leah Adler Benemovsky, or did you know her as Leah Adler?

Mr. NIMMO. I knew her as Leah Adler.

Mr. KUNZIG. In the record, she has been identified both ways, Leah Adler or Leah Adler Benemovsky.

Could you identify Leah Adler Benemovsky for us further, please?

Mr. NIMMO. She is an elderly woman with a broken accent, not very tall, and she is pretty fat. I wouldn't say fat, but she is medium built.

Mr. KUNZIG. Do you know where she worked, or lived?

Mr. NIMMO. She lived in Miami Beach; I don't know where she worked.

Mr. KUNZIG. Were there any other members you remember as members of the city committee of the Communist Party?

Mr. NIMMO. Ed Waller.

Mr. KUNZIG. At what period of time did you know him to be a member of the city committee?

Mr. NIMMO. The only time I have met with Waller was on the city committee, and it was during Smolikoff's admission at the Transport Workers on West Flagler Street, and that is where we held our meetings.

Mr. SCHERER. Was that a third union Smolikoff was identified with?

Mr. NIMMO. Yes, sir.

Mr. SCHERER. What part did he play in the transport workers union?

Mr. NIMMO. I would say he organized it.

Mr. SCHERER. Were there any other unions, while we are on this subject, that Smolikoff had anything to do with?

Mr. NIMMO. Not that I know of.

Mr. SCHERER. When was he active in organizing the transport workers union?

Mr. NIMMO. It must have been around late 1944, 1945, somewhere.

Mr. SCHERER. Do you know whether he got any converts to the Communist Party from those unions?

Mr. NIMMO. I don't know how to answer that. I don't know whether he got any converts, but I know several persons from that union who were members of the party.

Mr. SCHERER. Who were they?

Mr. NIMMO. Waller, for example, was one.

Mr. SCHERER. We know about him.

Mr. NIMMO. A fellow known to me by the name of Suggs, or Sug, an elderly——

Mr. KUNZIG. S-u-g?

Mr. NIMMO. S-u-g, or S-u-g-s, and Lou Popp, a Negro.

David Spicey, another Negro.

Mr. SCHERER. They all were acquainted with Smolikoff?

Mr. NIMMO. He was head of the outfit, as far as I knew. He organized them.

Mr. SCHERER. They did not get into the party until after Smolikoff organized the union, did they?

Mr. NIMMO. That is where I met them. I met them at the union office. That is where I became acquainted with them.

Mr. SCHERER. At the union office in connection with union meetings, or Communist Party meetings?

Mr. NIMMO. Well, now, I don't know when I first became acquainted as a Communist. I became acquainted as a union member, they used to have shop-steward classes, and I also attended them. On one occasion I received a call from Smolikoff, I think it was on a Sunday, to come down to the office, and I went down there and I met Lou Popp, and we went in a car with a group of other men, several cars, and we went to a home out in the southwest section.

I remember Ed Waller, Smolikoff, Popp, and some others whose names I don't remember, and myself, and apparently they were waiting for others to come, when there was a telephone call and Waller answered the telephone, and after taking the call, there was a sort of hush-hush meeting between a few of them, and Popp and I were spirited out of the meeting.

On our way home, the driver told us the call came from the Klan, and they wanted to get us away from there before anything happened.

Mr. SCHERER. Was that meeting you were having at this private home a union meeting or Communist meeting?

Mr. NIMMO. It was a Communist meeting we were going to have, but it never materialized in our presence. A white fellow drove Popp and I away from the place, but I don't know whether the meeting ever continued or not.

Mr. SCHERER. Was Smolikoff at that meeting?

Mr. NIMMO. Yes, sir.

Mr. SCHERER. I am asking these questions because as Mr. Clardy pointed out, the pattern is the same as we found it in other communities where individuals like Smolikoff, who are functionaries of the Communist Party have used their connections in various unions to obtain converts, in an effort to control those unions, and I wanted to see whether that happened in this area.

Mr. KUNZIG. Mr. Nimmo, where did you say Communist Party meetings were held in Miami, the city committee meetings you attended?

Mr. NIMMO. All of them that I attended, most of them I attended, were held at the CIO office at 730 West Flagler Street.

Mr. KUNZIG. Union Hall?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. How did they differentiate between Communist Party meetings and union meetings? Describe that exactly as it took place.

Mr. NIMMO. Union meetings are open to the general membership of the union. The other meetings were just sometimes 3, sometimes 4 or 5; seldom more than that. I don't know if there were ever more than five at any given time.

Mr. CLARDY. Mr. Witness, in a closed Communist Party meeting, there isn't the slightest chance, is there, of someone who is not a Communist, innocently wandering in and taking part in the meeting?

Mr. NIMMO. Well, I believe there is a slight chance, but I don't think it is very general, because I remember on one occasion at the headquarters in this same place, where someone did open the door and come in, and of course the discussions were stopped immediately, and the person was talked to, and after leaving there was some query as to who left the door open, or something like that.

I wouldn't say there isn't a slight chance.

Mr. CLARDY. When a person who is not a Communist and wanders in, he is not welcome in the fold, so to speak?

Mr. NIMMO. No, sir.

Mr. CLARDY. And if a person is not a Communist, he not only would not be welcome, but in due course the meeting would break up or he would be escorted from the meeting, would he not?

Mr. NIMMO. I don't know; I should say he would be escorted from the meeting. I do think they would not carry on discussions in the presence of anyone who by chance happened to come in.

Mr. CLARDY. If you were not a member of the Communist Party and got into a meeting of Communists, Communist business would not be discussed at that time?

Mr. NIMMO. No, sir.

Mr. KUNZIG. What was the physical setup? What sort of meeting rooms did you use for the Communist Party, as against what sort of meetings for public meetings of the union?

Mr. NIMMO. Well, the Negro members of the union met in the Negro district, and the white members met at the hall, I guess, on Flagler Street.

Smolikoff secured for me the same place we held our meetings, and also the Longshoremen's Hall for holding meetings with the Negro workers. So, it is hard for me to tell you.

I don't know what goes on when they hold meetings for the whites, because I have never attended them.

Mr. KUNZIG. Did Smolikoff use you to be a speaker and address Negro members of the union?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. That was one of your main functions, wasn't it?

Mr. NIMMO. Yes, sir; when they were organizing the workers.

Mr. KUNZIG. And when you became a Communist Party member, you met and arranged these things with Smolikoff in the Communist Party, and you would go out and address members who were not members of the Communist Party?

Mr. NIMMO. I wouldn't say I met Smolikoff in the Communist Party; it was always arranged between Smolikoff and I.

Mr. CLARDY. But Smolikoff, in your eyes, as you told us earlier, was the Communist Party?

Mr. NIMMO. For a time he was my ideal.

Mr. CLARDY. Your ideal?

Mr. NIMMO. As a leader; yes, sir. He appeared to me to be a very excellent and capable leader, and was doing a good job as far as I knew at the time when he was carrying on the organizational activity.

Mr. SCHERER. You said at one time he was your ideal. Did you ever change your mind about Smolikoff?

Mr. NIMMO. Well, in a sense; yes, sir.

Mr. SCHERER. What caused the change?

Mr. NIMMO. Well, it appears over a period of time, it appears as though there was a lot of bungling in his efforts with the union.

Mr. SCHERER. Isn't it a fact you found out he was more interested in promoting the Communist Party than he was the activities and welfare of the union?

Mr. NIMMO. Well, I would like to answer that question this way, sir: I am confident he was all interested in building the Communist Party, but I think he was just as much interested in the union, for the simple reason I think the union offered him the opportunity for doing the work the way he wanted to do it—that is my opinion.

Mr. CLARDY. You meant it gave him the opportunity to promote the ends of the Communist Party by working for the union?

Mr. NIMMO. And meeting with a broader group, in a collective manner.

Mr. CLARDY. We are familiar with that. We uncovered it in hearings in Michigan where the Communist Party made it abundantly clear in their own language they regarded the seizing of control of unions of paramount importance, and they were instructing all their leaders to work toward that end, because they bluntly said in the event of war with Russia, they wanted their men in a position to cripple the ability of this Nation to defend itself, and what you say fits in the pattern of subversion in Michigan.

Mr. NIMMO. I was severely criticized from time to time for not being able to recruit members from the laundry-workers union. As a result, if they felt we could build a party within the union, we would have to have a better opportunity.

Mr. SCHERER. You were criticized for not recruiting members in the Communist Party?

Mr. NIMMO. Yes.

Mr. SCHERER. It is obvious Smolikoff's interest in the union was secondary to his interest in the party. He worked for the union and did these good things for the union because he was primarily interested in what the union could do toward building the party, is that a correct statement?

Mr. NIMMO. It sounds correct, but I can't tell you exactly what Charlie Smolikoff thought.

Mr. SCHERER. I thought that is what you said.

Mr. NIMMO. I am going to tell you from my point of view, and if I judge him from my point of view, I would feel a little bit different from you; I would feel the union would have given him a better base from which to build a party. With the union you have a mass

organization from which you can work, control, and direct, whereas without that, you can't.

Mr. SCHERER. That is what I said, but you said so much better.

Mr. CLARDY. The Chair must observe you two are in substantial agreement; in fact you are in agreement, but you used different language.

Proceed, Mr. Kunzig.

Mr. KUNZIG. You were giving us some of the names of those you knew as members of the Communist Party City Committee. Would you continue?

Mr. NIMMO. I am about lost now.

Mr. CLARDY. We sort of detoured you there. Take your time and get back on the track again.

Can you refresh his recollection?

Mr. KUNZIG. Did you know Carbonell, Jose Carbonell?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Would you describe him? He testified before this group the other day.

Mr. NIMMO. Carbonell is a Cuban by birth, as I learned, and he is a cabinetmaker.

Mr. KUNZIG. And you knew him to be a member of the Communist Party?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. How about George Nelson?

Mr. NIMMO. George Nelson, I later found out, was a State organizer, I think. I first met him as a Daily Worker representative.

Mr. KUNZIG. State organizer of what?

Mr. NIMMO. Of the Communist Party.

Mr. KUNZIG. Did you meet with George Nelson in closed Communist Party meetings?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. How about Alex Trainor?

Mr. NIMMO. Alex Trainor was, I believe, prior to George Nelson, State organizer.

Mr. KUNZIG. Of the Communist Party?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Did you know Homer Chase?

Mr. NIMMO. I have heard that name. I don't know if I should say I know Homer Chase. It is possible I know him.

Mr. KUNZIG. If you don't know him as a member of the Communist Party, I ask that be stricken from the record.

Mr. SCHERER. He has not been identified?

Mr. KUNZIG. He has been, yes, but not by this witness.

Mr. CLARDY. The question was whether he had been identified otherwise.

Mr. SCHERER. Mr. Kunzig said he had been identified.

Mr. KUNZIG. Did you know Foster Robinson?

Mr. NIMMO. Foster Robinson was a Negro, and as much as I know of him is—I don't know exactly how to put it, an unemployed person who—let's say he was just "a-man-about-town."

Mr. KUNZIG. You knew him to be a Communist

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Did you know where he lived? Could you describe him at all, how he looked?

Mr. NIMMO. Well, no; I don't really know where he lived, in general. I knew he spent some nights at his mother's home, I think somewhere on 14th Street, near Third Avenue, but apparently he did not live there, because I don't think he always was in agreement with the rest of his family, from what I gathered, and he was always in hot water. I never knew of any permanent residence of Foster's.

Mr. KUNZIG. Do you know where he is today?

Mr. NIMMO. I believe he is in Tampa.

Mr. SCHERER. You say you did not know his occupation?

Mr. NIMMO. No, sir; I didn't think he had one, sir.

Mr. SCHERER. Do you know whether or not he was on the payroll of the party?

Mr. NIMMO. Not that I know; no, sir.

Mr. KUNZIG. Could you say he was a Negro, for identification purposes?

Mr. NIMMO. Yes, sir.

Mr. KUNZIG. Did you know Walter Bishop?

Mr. NIMMO. Walter Bishop was one of our associates in the independent group, when we were attempting to organize the laundry workers union, and he and I attended several meetings, together with Smolikoff. As far as I know, I don't really believe that he has attended meetings, but I don't think he has been with the party for more than a year, maybe less, but he has attended meetings with Smolikoff and me.

Mr. KUNZIG. Do you know whether or not he is out of the party? If you do, we would like to know.

Mr. NIMMO. I haven't seen him in several years.

Mr. KUNZIG. Was Walter Bishop white or Negro?

Mr. NIMMO. Negro.

Mr. KUNZIG. Did you know Sam Careouthers?

Mr. NIMMO. Yes.

Mr. KUNZIG. Would you describe Sam Careouthers, and identify him further, if you can?

Mr. NIMMO. I can't give you very much of a description of him. I had a very short acquaintance with him, but he was a man of about, say 150 or 155 pounds in weight, in my opinion, about 5 feet 8 inches, maybe 5 feet 7 or 8, and I am inclined to believe he was in some way connected with the transport workers union.

It was at the union hall I would see him, but I never knew exactly. It was just my opinion he was connected with the union. I don't know that.

Mr. KUNZIG. Did you know him as a member of the Communist Party, and meet with him in closed meetings?

Mr. NIMMO. Yes; we met in closed meetings.

Mr. CLARDY. The committee has a considerable amount of business. We are getting toward the end of the session and end of the year.

Before we recess for noon, I want to make one observation. One of the witnesses on the stand has made a suggestion that he had been identified as a member of the Communist Party by a paid witness. We want to disabuse the idea we have hired witnesses. We have no appropriation for that, and we wouldn't do it if we did.

I am getting tired of these Communists saying that. I want to blast that once and for all, and the papers can quote us on that.

I am reminded by our investigator, which every one of the members fully know, as with a Federal court witness, our witnesses are paid the same per diem, and no more.

We will adjourn until 2 o'clock this afternoon.

(Thereupon at 12:11 p. m., the hearing was recessed, to reconvene at 2 p. m., same day.)

AFTERNOON SESSION

(At the hour of 2 p. m., of the same day, the proceedings were resumed, the same parties being present.)

Mr. VELDE. The committee will be in order.

Before proceeding with the witness, Mr. Counsel, I would like to acknowledge the fact that we have many telegrams and letters from various people in the Florida area and the southeastern part of the area. It is going to be impossible to acknowledge each and every one of these telegrams and letters; but I do appreciate the fact that you have sent these letters and telegrams and that you have given us your cooperation and courtesy. Proceed, Mr. Counsel.

Mr. KUNZIG. Mr. Nimmo, you already mentioned various people you knew to be members of the Communist Party and on the city committee here in Miami when you were a member of the city committee, before lunchtime; and as I was going through the names I have found the name of Lois Baker. Do you know Lois Baker?

TESTIMONY OF JAMES NIMMO—Resumed

Mr. NIMMO. Yes, I do.

Mr. KUNZIG. Describe Lois Baker; how you knew her, and how you knew her to be a member of the Communist Party.

Mr. NIMMO. I knew her. She is, I believe, from west Florida; some section of west Florida. I met her on occasions in Tampa. I think she worked very closely with George Nelson or that was my impression. She visited Miami on one occasion at least.

Mr. KUNZIG. Did you know her to be a member of the Communist Party? Did you meet in closed party meetings?

Mr. NIMMO. Yes.

Mr. KUNZIG. What was the function of the party or the group you were associated with in connection with recruiting other members and bringing strength to the party?

Mr. NIMMO. Well, they always, generally emphasized on recruiting Negro and white workers into the party, and it appears as though the emphasis was especially on the working class, white workers and Negroes.

Mr. KUNZIG. How about your own service? Did you do anything to recruit?

Mr. NIMMO. No; not a single member has been recruited by me from the laundry workers or otherwise. I mentioned that we have a membership that has grown from two or three hundred to about 1,200 in the height of the season; and in the summertime our membership would vary from seven to nine hundred; and not a single laundry worker was recruited to the party.

Mr. KUNZIG. By yourself?

Mr. NIMMO. I don't think there is one in or I would have known. I am talking about the Laundry Workers' International Union. As

I said to you before, Walt Bishop got in the party the same time that I did through information of Smolikoff.

Mr. KUNZIG. Did you ever get any criticism from the party for not recruiting?

Mr. NIMMO. Oh, yes; quite frequently I was criticized for my failure to recruit members from the ranks of my union.

Mr. KUNZIG. Did you ever at any time cooperate with the Federal Bureau of Investigation?

Mr. NIMMO. Well, recently; yes.

Mr. KUNZIG. You have given them your story?

Mr. NIMMO. Yes.

Mr. KUNZIG. I would like to hear now about a very important subject in connection with the efforts of the Communist Party. You mentioned the Negroes in this area. You were familiar with what the purpose or function or duties of the Communist Party with respect to the Negroes. Would you describe this.

Mr. NIMMO. As I understood it—or understand it—they seemed to seize upon every opportunity when there was some incident of some kind; as for example, I might mention what is known to us as the Groveland case where three Negroes were involved in a rape trial; and some homes were shot up and some also burned. This was played up very largely by the party. Also, there was another case with Oran Johnson who attended high school here and went to live on the west coast; and who killed a sheriff or a deputy sheriff. And there were other incidents where the party seemed to seize the opportunity to make a much bigger thing out of it than it should have been; and use it as an opportunity to gain sympathy of the Negroes and recruit them into the party.

I think moneys were raised and clothing collected to help the families of these people, and this certainly gained the sympathy of some people. A meeting was held of Negroes in the youth center in which 100 or more people attended; and I think a reporter was there from the Miami Herald. I know all these people felt the party was doing a great job in assisting the Negroes and a very fine thing they were doing. I remember questioning this in one or more of the meetings.

Mr. KUNZIG. You questioned the Communist meeting?

Mr. NIMMO. Yes; I didn't feel it was the proper thing to seize every opportunity whenever anything was happening to the Negro to make an affair of it; and never attempt to do anything so far as the other races were concerned. This had a one-sided effect, I felt, to try to gain the sympathy of the negroes to draw them into the party.

Mr. SCHERER. You are absolutely right. What you have been telling us here today has been told to us by Negroes all over the country. They realized that the Communist Party is only pretending to promulgate the rights of the Negroes in order to, as you say, attract them to the party; and they use this means constantly, as you say, to gain the sympathy of the Negroes and to attract them to the Communist program. After they got into the party they found out that the Communist Party was not sincere or sympathetic but using incidents such as you mentioned as an opportunity to strengthen the Communist Party. What you say here today rings true and has been heard in every section of the country by this committee.

Mr. VELDE. I would like to concur with the gentleman from Ohio; and I might add that the committee is releasing at the end of the month an article entitled "The American Negro and the Communist Party." I hope that people, and especially the colored people of the country, will read this article. Of course, it wouldn't do any harm for the white people to read the same article. It can be obtained by writing to our committee the later part of this month.

Mr. SCHERER. The Communist Party follows the policy I have discussed and just mentioned insofar as the Negro is concerned; but is doing the same thing with reference to other minority groups also. I would like to ask an important question following the ones you just had; and that is: Within your personal knowledge, up to and including 1950, when you left the party, did many Negroes fall prey to the Communist idea?

Mr. NIMMO. In Miami; there were not enough Negroes in Miami at any time to even form a group. As a result, and in my opinion, that was the only reason I was in the section committee. There was no other place for me. When Bishop, formerly mentioned, was in the party; as far as I know there was only Bishop and I. Bishop's stay in the party wasn't very long; possibly a year or less. Then I knew Foster Robinson; and there have been these fellows Popp and Spicey from the transport workers. But as far as I can remember there were never any meetings, group meetings, of Negroes. I don't know how or where Spicey and Popp functioned. Maybe they had their own cell within the transport workers union or out. But there never was a Negro group as such meeting for the party.

Mr. SCHERER. What you say again is true. Barbara Hartle testified before this committee after she was sentenced to the Federal penitentiary and had broken with the party. She told us the Communist Party recognized it was not successful in converting Negroes to the Communist cause despite their best efforts and the best tactics the Communist Party could muster.

Mr. DOYLE. May I ask the witness why in his opinion there were never group meetings of the Negro Communists while apparently there were a great many group or cell Communist meetings by whites? What explanation do you have, Mr. Nimmo? Why should the Communist Party be able to attract groups of Communist whites and get the whites and yet couldn't get the Negroes? Why is that in Florida? And you may further explain to me the question of looking upon or looking to your friend Charles, as you call him, the Communist leader. You recognized him as the Communist leader, and he wanted you to be put on the city committee before you had ever been a member of the Communist group and in fact, you have never been a member of a Communist group. With all those favors he gave you in the past two or three years why couldn't you succeed in getting any Negroes into a group?

Mr. NIMMO. I made no effort to recruit Negroes. It may sound like opportunism to say it, but it was expeditious in my case. We were organizing a union and Smolikoff was helping us. At first I didn't know he was a Communist. When I found out, I found myself going to the meetings and working with him. He really impressed me as being a very smart man; and he was very helpful in many ways, but

he was not quite clear on the objectives of communism as he would from time to time try to outline it. On the other hand, I knew that there were numerous meetings of even the city committee that I didn't attend or wasn't invited to. There were many instances; and of course, I never questioned this with Charley or anybody else. I held my own opinion. I was invited to meetings when there were discussions on Negro problems and so forth and so on. And there were other meetings. As a matter of fact, after Charley was ousted from the transport workers union and was no longer around the transport quarters, I remember only 3 meetings I attended from then until 1950; and on 2 of them there was only Nelson, myself, and Carbonell. On two or three occasions Nelson came from either Jacksonville or Tampa; I don't know which. He would call me on the phone and make an appointment to meet us at different places, and he and I would sit in the car for 15 minutes or so. I know he didn't come to Miami to see me. So each time there was another meeting I wasn't called in; and I mean I made my conclusion on this.

Mr. DOYLE. Do you mean the Communist Party was practicing segregation?

Mr. NIMMO. I don't want to put it that way.

Mr. DOYLE. But that is what you are trying to tell us.

Mr. NIMMO. I want to say they called me in on meetings only when they needed me.

Mr. DOYLE. There may have been group meetings of the Communist Party attended by Negroes that you didn't know anything about. Is that true?

Mr. NIMMO. I would hardly be inclined to believe that, sir.

Mr. DOYLE. I am inclined to believe it from your own testimony. You said there were meetings held at the Negro youth center that were attended by 100 whites and Negroes.

Mr. NIMMO. Yes.

Mr. DOYLE. You said they felt the party was doing a wonderful thing.

Mr. NIMMO. Yes; but I want to say this—and I may not be able to make this very clear to you or the committee as a whole. The meetings at the youth center were not closed-door meetings but open-door meetings. There was an atmosphere—I mean people were aware of the fact that the operation was by Communists but it was not a closed-door meeting and the people going were not Communists by any means.

Mr. DOYLE. The reason I asked the details of this meeting and other meetings is to make sure the same thing applied. It shows the methods and manner of the Communist Party functioning. That is the only reason I am taking the time of this witness. This meeting at the youth center and the other method aided to possibly feel out the people to later recruit. That is why I asked you. I think that is all.

Mr. KUNZIG. You mentioned in the last few questions that Smolikoff was ousted from the union. Will you explain what you mean by ousted from the union.

Mr. NIMMO. How I know? I think it was Mike Quill of New York who is the general president of the transport workers union; and I understood he fired Smolikoff—at least, I read it in the papers. I don't know what lead up to it but I know he was fired from the union.

Mr. KUNZIG. Do you believe it was due to Communist activities or what?

Mr. NIMMO. I believe I read both Communist activities and the misappropriation or mishandling of funds.

Mr. KUNZIG. Mr. Nimmo, you got out in 1950. Why did you get out of the party?

Mr. NIMMO. Of course I became disgusted with it then, as I said.

Mr. KUNZIG. Why?

Mr. NIMMO. The first time I got the urge to leave was during the visit of one Elizabeth Gurley Flynn from New York here where the meeting was held at the beach. Of course, I was not aware of the meeting or know anything about it until after the incident. At the time it happened the meeting was held at the beach under the auspices of the Communist Party. It was a fund-raising drive as I later gathered. The meeting was exposed by—I don't know—by newspapermen or whom. However, something developed then—happened about one-third or more members of the party in Miami fled. I thought, under those circumstances, it was rather embarrassing to belong to an outfit when some incident like that occurred and everybody would have to run for shelter.

Mr. SCHERER. I am interested in why they would have to run for shelter?

Mr. NIMMO. Well, that is what I want to know, myself.

Mr. CLARDY. We had some experience with that in the last week when they left town. Why did they leave town when Elizabeth Gurley Flynn came to town? She is one of the leaders of the national Communist Party. Was this at the Edwards Hotel?

Mr. NIMMO. I think that is where it was. That is what I heard.

Mr. CLARDY. The newspaper people came in and they fled in all directions?

Mr. NIMMO. Yes.

Mr. SCHERER. Newspaper people came in?

Mr. CLARDY. That is right.

Mr. SCHERER. I wouldn't call that a raid.

Mr. KUNZIG. Then you got out of the party after this incident?

Mr. NIMMO. I didn't drop out immediately, of course. I began getting out.

Mr. SCHERER. Before you go any further. Why weren't you notified of that meeting?

Mr. NIMMO. I wouldn't know. I only knew after the exposure that Elizabeth Gurley Flynn was in town.

Mr. SCHERER. Was that because Negroes were not invited to the meeting?

Mr. NIMMO. As far as I know, none were invited.

Mr. SCHERER. Wasn't one of the arguments that the Communist Party used that it was opposed to segregation?

Mr. NIMMO. Very definitely, sir.

Mr. SCHERER. Didn't it appear to you they were against segregation?

Mr. NIMMO. Very definitely, sir.

Mr. SCHERER. And you felt after the two incidents described here that the Communist Party practiced segregation by the last meeting you described and the fact that you weren't invited to the meeting;

and that certain time that you had the meeting in the machine with Nelson and so forth?

Mr. NIMMO. That is right.

Mr. SCHERER. You found out that the Communist Party didn't practice what it preached?

Mr. NIMMO. Very definitely. From that time on I might add, in a period of 2 or 3 years I attended 2 or 3 meetings. I am sure two of them were with Nelson in the car; and on another occasion Nelson picked me up and we went somewhere in the northwest section to a little cabinet shop where Jose Carbonell works and just us three had a discussion there.

Mr. KUNZIG. When you left the Communist Party, you left it in about 1950 or 4 years ago. Can you give us an estimate from your own personal knowledge what the condition was of the Communist Party here in Miami in 1950 when you left?

Mr. NIMMO. In my opinion, its progress was at a standstill. They didn't seem to be making any progress at all. In fact, at the committee meeting there would always be some discussion about disagreements in different groups; especially the beach group. Leah Adler represented the beach group. She always had some arguments to offer about the groups there. It seemed things were not going as they should.

Mr. KUNZIG. From 1950 on, what the Communist Party has done, what the fronts or activities were, you have no personal knowledge of at all?

Mr. NIMMO. None.

Mr. KUNZIG. No further questions.

Mr. VELDE. Any questions, Mr. Scherer?

Mr. SCHERER. None.

Mr. VELDE. Mr. Clardy?

Mr. CLARDY. No questions.

Mr. DOYLE. You stated you were present at a meeting where \$1,900 was raised by the Daily Worker. By what method and how was the meeting conducted to raise \$1,900 by the Communist Party?

Mr. NIMMO. Well, it was on Sunday night that I got a call from Charlie. I would say it was around 6:30 or 7 o'clock. He asked me to come down to the office at the CIO Building at 730 West Flagler Street. I got there and found quite an audience. There wasn't seating capacity for the people there.

Mr. DOYLE. How many were in the audience?

Mr. NIMMO. I would estimate there might have been about 150 people at least.

Mr. DOYLE. Whites and Negroes?

Mr. NIMMO. No; I was the only Negro there.

Mr. DOYLE. What was done in this meeting to raise this money?

Mr. NIMMO. There were talks by Smolikoff and others. They were raising funds for the Daily Worker; and I just didn't think people should be giving money in the manner they gave it there. One particular gentleman gave \$500. And then there was an elderly lady got up and apparently this elderly lady gave all she could afford; and this gentleman asked her to give her age; and he said he would give \$1 for every year she was; and I think she was close to 70 and he matched it. Another man matched him and the final collection was around \$1,900.

Mr. DOYLE. Was the man who gave the \$500 known to you to be a member of the Communist Party?

Mr. NIMMO. No, sir, that was the first time I seen him.

Mr. DOYLE. Have you identified him since then as a member of the Communist Party?

Mr. NIMMO. No, sir.

Mr. DOYLE. The Daily Worker you mentioned; was that the Communist paper?

Mr. NIMMO. Yes, sir.

Mr. DOYLE. Why were they raising money for the Daily Worker?

Mr. NIMMO. They said the Daily Worker was badly in need of funds and they had a drive on to raise the funds for the Daily Worker.

Mr. DOYLE. Did Smolikoff preside over the meeting?

Mr. NIMMO. I don't exactly remember but he was in charge of practically everything there.

Mr. DOYLE. Why did you join the Communist Party?

Mr. NIMMO. I told you it was when I was working with Smolikoff in the union organization. When Charlie first began to give me pamphlets on communism and talked to me about the party and invited me to the meetings. At that time I thought it was O. K. and doing good work.

Mr. DOYLE. Did you have any complaint against the form of American government under which you were raised?

Mr. NIMMO. No complaint about the form of government under which I was raised.

Mr. DOYLE. Did you ever have any complaint against the functioning of the union in which you were one of the leaders?

Mr. NIMMO. No, sir.

Mr. DOYLE. Did you feel the Communist program would help you as a union leader?

Mr. NIMMO. I didn't see communism at the time as an evil. I began to learn that as I went along. I frankly thought it was a good thing to be honest with you. I didn't think there was anything evil about it.

Mr. DOYLE. This city committee you mentioned; how many members were on it?

Mr. NIMMO. There were never more than five at any time.

Mr. DOYLE. How often did they meet?

Mr. NIMMO. That is another thing I really don't know. I know this. Sometimes there wouldn't be a meeting for 3 months; and sometimes there might be 1 every month for a period of time; and then 1 in 3 months, and so forth.

Mr. DOYLE. In answering the question of my distinguished colleague, Mr. Scherer, when he asked you about the Communist Party with reference to the Negro; whether or not the Communist Party helped the Negro or tried to, three times you said, "Very definitely not." Do you remember so saying?

Mr. NIMMO. Yes, I do.

Mr. DOYLE. Did you ever hear the Communist Party in America propose there be a Negro State?

Mr. NIMMO. No; I never heard that. I remember reading some literature on the question of self-determination; but I never heard of

the Negro State. This might boil down to the same thing but I never heard any such spoken statement as that, sir.

Mr. DOYLE. Did Charles Smolikoff tell you it was one of the policies of the Communist Party?

Mr. NIMMO. No, sir.

Mr. DOYLE. Didn't he say it was one of their objectives?

Mr. NIMMO. No, sir.

Mr. SCHERER. It was one of their objectives until they found out it was impossible.

Mr. DOYLE. Did Charles Smolikoff discuss with you the use of force and violence?

Mr. NIMMO. No, sir, I never heard any such discussion relative to the overthrow of government by force or violence. Of course, I read a lot about it but I never heard any discussions about it.

Mr. DOYLE. You say you read a lot about it?

Mr. NIMMO. In the papers but I never attended any meetings where there were discussions relative to that.

Mr. DOYLE. You have been in this room several hours when I asked this same question of the other witnesses that I am now about to ask you. Under Public Law 601 of the 79th Congress, this committee was assigned the responsibility of making a study of subversive activities and propaganda whether they originated in the United States or elsewhere; and as the result of this study and survey to recommend to the Congress any legislation dealing with subversive activities whether it came from the Communist Party or any other subversive group or person or program. Have you any suggestion to make to us as Congressmen, as we are all Congressmen of the United States. By that, I mean although I am from Los Angeles County in California and these other gentlemen are from other sections of the country, we are still your United States Congressmen. Most people don't realize that we are interested in every section of the country. Do you have any suggestions for legislation dealing with the Communist Party program or any program determined to undermine our constitutional form of government? Have you thought about that subject at all?

Mr. NIMMO. I can't say that I have thought about it in any specific way; but I want to say this: I certainly feel that the Congressmen or Congress or the elected officials of the Government of our country would be delinquent in their duties if they failed to legislate laws for the protection and preservation of our democratic way of life. I feel that not enough can be done in trying to preserve our democracy.

It is my belief that exposing communism is one of the surest means of putting people on the alert as to the danger that could befall our country from time to time and awaken them to the danger; and prevent such a thing from taking place. However, I do not know if I can add in any way any specific legislation that could be had. I think that would have to be worked out by you gentlemen in Congress with a little more understanding than I have, sir.

I feel this. There are a large number of people like myself who got into the Communist Party and were anxious to get out but hesitated to do so; and the main reason for this, I believe, was because like me, they didn't have the courage to stand up firmly as they could have done and should have done. I felt the same way when I first found out I was going wrong.

Mr. DOYLE. I want to thank you for answering the question so frankly; and I want to ask you to use your fine leadership and ability against subversive activities and propaganda.

Mr. NIMMO. I would be very glad to, sir.

Mr. DOYLE. Are you now a union leader? Are you now an elected official of any union group?

Mr. NIMMO. Not now, sir.

Mr. DOYLE. I wish you would put your fine effort in that area and try to help prevent subversive activities in organized labor. That is all, Mr. Chairman.

Mr. VELDE. Mr. Nimmo, for your testimony and statements here before us, your Congress and Un-American Activities Committee would like to express their gratitude that you are lending your fine, patriotic service to your country and by giving this information upon which future legislation can be based. You are now discharged.

Mr. NIMMO. I want to thank you and the committee for your very cordial treatment toward me; and I will be happy to serve in any capacity at any time. I have the address of the FBI and I will keep in touch with them whenever they need me. I am going to get in touch with Mr. Brautigam over there and cooperate all I can.

Mr. CLARDY. These hearings are very tough work; and what my brother said here is right, "It is what we are getting underpaid for; not paid for."

Mr. NIMMO. Thank you, sir.

Mr. VELDE. The next witness, Mr. Counsel.

Mr. KUNZIG. Lois Baker.

Mr. VELDE. Would you raise your right hand and be sworn, please?

In the testimony you are about to give before this subcommittee, do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BAKER. I do.

Mr. KUNZIG. Would you give us your full name, please?

TESTIMONY OF LOIS BAKER, ACCOMPANIED BY LEWIS BLAKE, HER COUNSEL

Mrs. BAKER. Lois Baker.

Mr. KUNZIG. Is that Mrs. Lois Baker?

Mrs. BAKER. Yes.

Mr. KUNZIG. Mrs. Baker, what is your residence, please?

Mrs. BAKER. Winter Haven, Fla.

Mr. KUNZIG. I see you are represented by counsel. Would counsel please state his name and address for the record?

Mr. BLAKE. Lewis Blake, 1105 Security Building, Miami, Fla.

Mr. KUNZIG. Mrs. Baker, are you employed in any way, or are you a housewife?

Mrs. BAKER. I am a housewife.

Mr. KUNZIG. Mrs. Baker, where were you born?

Mrs. BAKER. In Florida.

Mr. KUNZIG. Where?

Mrs. BAKER. In Citrus County.

Mr. KUNZIG. Would you tell us briefly of your education.

Mrs. BAKER. I am a high-school graduate.

Mr. KUNZIG. Where?

Mrs. BAKER. In Citrus County.

Mr. KUNZIG. What is the name of the school?

Mrs. BAKER. Inverness High School.

Mr. KUNZIG. Have you ever been employed in any work at any time in addition to being a housewife?

Mrs. BAKER. I have not.

Mr. KUNZIG. Mrs. Baker, you have been identified by both Mr. Nimmo and Mr. Waller here as someone whom they knew to be a member of the Communist Party. Have you ever been a member of the Communist Party?

Mrs. BAKER. I fear to answer that question because I fear such an answer will incriminate me.

Mr. CLARDY. Will the witness please speak louder. We cannot hear you back here.

Mrs. BAKER. I refuse to answer the question as such answer might incriminate me under the Smith and McCarran Acts.

Mr. CLARDY. I didn't hear that. Would you read that back, Miss Reporter, real loud so we can hear it.

(Reporter reads back last answer above.)

Mr. CLARDY. Is what you are referring to the Smith Act; and the McCarran and Wood bill?

Mrs. BAKER. That is right.

Mr. KUNZIG. Mr. Waller testified he knew you as a member of the Communist Party and at one time secretary of the Communist Party of the State of Florida. Is that correct?

Mrs. BAKER. I refuse to answer that on the foregoing grounds.

(At this point Mrs. Baker conferred with Mr. Blake.)

Mr. KUNZIG. Are you now a member of the Communist Party?

Mrs. BAKER. I refuse to answer that on the foregoing grounds.

Mr. KUNZIG. Have you ever at any time contributed funds to the Communist Party?

Mrs. BAKER. I refuse to answer that on the foregoing grounds.

Mr. KUNZIG. Have you at any time been responsible for raising funds for the Communist Party?

Mrs. BAKER. I refuse to answer that on the foregoing grounds.

Mr. KUNZIG. Were you secretary to district 25 of the Communist Party in the State of Florida?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. KUNZIG. I have no further questions, Mr. Chairman.

Mr. VELDE. Do you know anything about district 25 of the Communist Party of the State of Florida?

Mrs. BAKER. I refuse to answer that on the foregoing grounds.

Mr. VELDE. It appears to me that you certainly do have a great deal of information that would be very beneficial to your country; and as a loyal citizen you could give that information to this committee. You were secretary to the Communist Party in the State of Florida of district 25; and I think you owe a duty to your country very definitely to give us information about the dues you collected as secretary, and minutes of the meetings you took in the Communist Party cell. If you want to be loyal to your country, you should give us that information. Will you do it?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. CLARDY. Did you ever occupy any official position of any kind in any branch or part of the Communist Party?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. CLARDY. I wish you would answer higher. I can see your lips moving and that is all I can do. You have been identified before this committee as a member of the party by two witnesses. Were you present when either of them testified?

Mrs. BAKER. I was present at one time.

(At this point Mrs. Baker conferred with Mr. Blake.)

Mr. CLARDY. At one time. You heard the witness, Mr. Waller, identify you?

Mrs. BAKER. No; I did not.

Mr. CLARDY. Were you here when the previous witness identified you?

Mrs. BAKER. Yes.

Mr. CLARDY. Was the identification he gave and the details he gave to us in any way untrue?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. CLARDY. You appreciate the fact that the committee is now giving you an opportunity to say anything you desire in repudiation and not in agreement with what the previous witnesses have said. We are affording you this opportunity to say anything you desire in connection with the previous testimony. Am I to understand that you are going to refuse to answer on that subject no matter how many questions I ask or how I frame them?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

(At this point Mrs. Baker conferred with Mr. Blake.)

Mr. CLARDY. In other words, you are not going to avail yourself of the opportunity of speaking freely now. Is that what I am to understand?

Mrs. BAKER. I refuse to answer that.

Mr. CLARDY. That is hardly an answer but I take it you mean you are not going to answer anything. The question was asked whether or not you paid dues to the Communist Party. I want to ask you if the Communist Party ever paid you anything for services or what have you?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. CLARDY. Have you attended any Communist Party meetings within recent weeks or months?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. CLARDY. Have you at any time engaged in any activity of any sort that might be interpreted as being espionage against your Government?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. CLARDY. Have you at any time been a member of any organization whose avowed aim was the overthrow of this Government by the use of force and violence?

Mrs. BAKER. I refuse to answer on the foregoing grounds.

Mr. CLARDY. That is all, Mr. Chairman.

Mr. SCHERER. Witness, you have stated that you refuse to answer these questions because you feel that the answers to the questions might tend to incriminate you. I believe in response to the first question you said the answers would incriminate you under the Smith Act and the McCarran and Wood Act. As our chairman has said, we believe you have a great deal of information that would be helpful to the committee. Are you listening to what I am saying?

Mrs. BAKER. I am listening.

Mr. SCHERER. This Congress, shortly before it adjourned in August, passed a law which gives us the right to grant you immunity from prosecution. I for one feel the information you have is of such importance that I am willing to recommend granting you that immunity. If this committee is willing to grant such immunity, would you then answer our questions?

Mrs. BAKER. Just a moment, please.

(At this point Mrs. Baker conferred with Mr. Blake.)

Mr. DOYLE. I suggest that counsel have plenty of time to confer with his client so there is no hurry if this offer takes him by surprise.

Mr. VELDE. Certainly. That has always been our policy.

Mrs. BAKER. Does that immunity protect me—

Mr. CLARDY. Would you speak up so we can hear you.

Does the chairman think we can violate our own rules and let counsel state what the answers are going to be? I can't hear the witness at all.

Mr. SCHERER. I am not agreeable.

Mr. VELDE. We would be accused of being unfair to the others.

Please raise your voice a little so we can hear what you say.

Mr. BAKER. Does that immunity—

Mr. CLARDY. Step up before the box here so we can hear you.

Mr. VELDE. The reporter will come up here, too.

(This reporter, the witness and her counsel, stand directly before the committee.)

Mrs. BAKER. Does that immunity protect me from both State and Federal law?

Mr. CLARDY. I can't hear you now.

Mrs. BAKER. I am sorry.

Mr. CLARDY. I don't think you are sorry at all. I think you are doing this deliberately. You can talk louder than that. Especially if you are angry at someone. And I am trying to rile you up a little so you will speak louder.

Mr. VELDE. Let us try again. What is the question?

Mr. SCHERER. The question is quite lengthy and is partially an explanation of a statute. As I said, a law was passed by this Congress shortly before I adjourned in August; and it gave us, this committee, with the approval of the Federal court, the right to grant immunity from prosecution which might result from any answer you might give to questions propounded to you.

What I am saying is this: If this committee should grant you such immunity, would you then give us the information which we know you have concerning the activities of the Communist Party in the State of Florida? The reason I am asking this question is that you said that the only reason you refused to answer the questions was because you have some fear that the answers given us might cause you to be prosecuted and you might suffer some penalties as a result of answering. If that is completely eliminated, would you answer the questions?

Mrs. BAKER. Does that immunity extend to both State and Federal prosecution?

(At this point Mrs. Baker conferred with Mr. Blake.)

Mr. SCHERER. In my opinion it does.

Mrs. BAKER. In any prosecution whatsoever in any way?

(At this point Mrs. Baker conferred with Mr. Blake.)

Mr. SCHERER. In my opinion it would.

(At this point Mrs. Baker conferred with Mr. Blake.)

Mr. VELDE. You may step aside for more privacy, if you wish.

Mr. BLAKE. Thank you, sir.

Mr. VELDE. There will be a short recess.

(A recess is declared.)

Mr. VELDE. The committee will be in order.

Mrs. BAKER. From talking with my attorney, he doesn't feel like this committee—

Mr. VELDE. It is not what he feels about it but what you feel.

Mrs. BAKER. I feel that this committee cannot prevent the State prosecution. So, therefore, I refuse to answer the questions.

Mr. SCHERER. I really didn't hear all of the answer. Would you repeat the answer?

Mrs. BAKER. From the discussion with my attorney, I feel and he feels that this committee cannot prevent the State from prosecuting. You have no control over the State prosecuting; and I, therefore, refuse to answer the questions.

Mr. SCHERER. That is not exactly my question. My question is: If you were granted immunity so you couldn't be prosecuted—if you were granted immunity so there would be no prosecution from either the State or the Federal Government, would you answer the questions?

Mrs. BAKER. Yes.

Mr. SCHERER. All right. That is all.

Mr. Chairman, in view of the witness' answer, I wish to state at this time that at the next executive committee meeting of this committee I will recommend that we invoke this statute, which I believe will be invoked for the first time. I will move that the committee take such steps necessary to secure the approval of the Federal court and grant this witness immunity under the statute.

Mr. VELDE. Certainly, the Chair concurs with that; and I would seriously recommend to the State court that if this witness will give us her testimony that they see to it that she is granted immunity. I think until we decide these matters, we should dismiss this witness; but she is still under subpoena.

The committee will be in executive session now.

(Thereupon, the committee left the hearing room to enter executive session at 3:15 p. m., and returned in 10 minutes.)

Mr. VELDE. The committee will be in order.

Witness, the committee has decided to continue your testimony for the present time and take account under the statute we have been discussing. So, you are dismissed at this time under subpoena of the committee.

Mr. CLARDY. Perhaps we should make a brief statement and say that the statutory procedure must be followed before immunity can be granted out of the committee with a petition before the court. So, it will be some time before you hear from the committee.

Mrs. BAKER. I understand.

Mr. VELDE. The next witness, Mr. Counsel.

Mr. KUNZIG. Harvey Baker.

Mr. VELDE. Will you raise your right hand and be sworn.

Do you solemnly swear that the testimony you give here before this committee this afternoon will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. BAKER. I do.

Mr. KUNZIG. State your full name, please, sir.

TESTIMONY OF HARVEY G. BAKER, ACCOMPANIED BY LEWIS BLAKE, ESQ., HIS COUNSEL

Mr. BAKER. I don't know whether you are going to be able to hear me any better than my wife.

Mr. KUNZIG. I can hear you. Your full name, please.

Mr. BAKER. Harvey G. Baker.

Mr. KUNZIG. What is your address?

Mr. BAKER. Winter Haven, Fla.

Mr. KUNZIG. Are you related in any way to the previous witness?

Mr. BAKER. I am her husband.

Mr. KUNZIG. When and where were you born?

Mr. BAKER. Florida; Daytona Beach.

Mr. KUNZIG. When?

Mr. BAKER. 1910.

Mr. KUNZIG. Give us a brief résumé of your education.

Mr. BAKER. High school.

Mr. KUNZIG. Where did you graduate?

Mr. BAKER. Daytona Beach.

Mr. KUNZIG. And your employment?

Mr. BAKER. I am a sign painter and electrician or electrical worker. Actually you don't start that way.

Mr. KUNZIG. Are you in electrical work now?

Mr. BAKER. Yes.

Mr. KUNZIG. Do you have a store of your own or do you work for somebody else?

Mr. BAKER. I am employed.

Mr. KUNZIG. By whom?

Mr. BAKER. I want to state that I am going to invoke the fifth amendment; and I am going to do it so the questions won't implicate me.

Mr. KUNZIG. That was a simple question I asked now. By whom are you employed?

Mr. BAKER. I am employed by Swift & Co.

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. KUNZIG. Where?

Mr. BAKER. In Polk County; the county of my residence.

Mr. KUNZIG. Now, you were identified by Mr. Waller 2 days ago as someone he knew to be a member of the Communist Party. Was he correct in that identification?

Mr. BAKER. I am refusing to answer on the grounds of the fifth amendment. I will give you a more formal statement, if you like.

Mr. KUNZIG. I think your answer is complete enough. Have you been a member of the Communist Party, Mr. Baker?

Mr. BAKER. I am answering that I refuse.

Mr. KUNZIG. You refuse to answer for the same reasons?

Mr. BAKER. Yes.

Mr. KUNZIG. Are you now at this moment as you sit in this courtroom in Miami a member of the Communist Party?

Mr. BAKER. I refuse to answer for the same reasons.

Mr. KUNZIG. Were you ever connected with the shipbuilders union?

Mr. BAKER. I refuse to answer. It might tend to form a link or chain of evidence.

Mr. KUNZIG. And it might incriminate you?

Mr. BAKER. It might incriminate me.

Mr. KUNZIG. Mr. Waller said he knew Harvey Baker, and when he did he was executive secretary of local 32 in Jacksonville, Fla., of the shipbuilders union. Is that statement true?

Mr. BAKER. I decline to answer.

Mr. DOYLE. Did you live in Jacksonville, Fla., at one time?

Mr. BAKER. I decline to answer the question on the chain of evidence possibility.

Mr. VELDE. Witness, there is no possible way in answering that question it will incriminate you. You are directed to answer the question.

Mr. BAKER. I would like to read you my answer. I refuse to answer that question because I fear such an answer might furnish a link in a chain of evidence that could be used to incriminate me under the Smith and McCarran Acts, and I therefore wish to avail myself of the privileges afforded under the fifth amendment to the Constitution of the United States.

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. VELDE. Have you ever been engaged in any activities of any nature as under the Smith Act, such as overthrowing the Government, and so forth?

Mr. BAKER. I refuse to answer.

Mr. KUNZIG. Mr. Waller went on to testify, "Subsequently he went to work for the FTA." That is the Agricultural, Food and Tobacco Workers. Is that true?

Mr. BAKER. I refuse to answer. That can become a link in a chain of evidence.

Mr. SCHERER. I ask the chairman to direct the witness to answer the question.

Mr. VELDE. That is certainly no incriminating evidence. You are directed to answer the question.

Mr. BAKER. My answer is the same as I just read.

Mr. VELDE. In other words, you refuse to answer. I realize the witness has counsel but I want to call it not only to your attention but to counsel's attention that there have been many witnesses cited for contempt of Congress for refusing to answer questions that in no way incriminated them. Certainly, I would be, and my colleagues too, for citing you for contempt if you refuse to answer questions that will not incriminate you.

Mr. BAKER. I have heard of the case of *Rogers v. The United States Government*. Someone waited too long to invoke the fifth amendment and found themselves in worse trouble than if they had spoken. I want it that way.

Mr. VELDE. The Rogers case was a very different situation than what we are asking you about; residence. I am asking you again; Will you tell us if you ever resided in Jacksonville?

Mr. BAKER. Can you explain to me the materiality of the question in hand?

Mr. CLARDY. Mr. Chairman, direct the witness to answer the question.

Mr. VELDE. I certainly shall direct the witness to answer the question. The committee decides what questions are material or immaterial.

Mr. BAKER. I say I decline to answer. The answer might furnish a link in a chain of evidence.

Mr. SCHERER. I would like to state at this point that I would like Mr. Kunzig to read the last question or restate it with regard to employment.

Mr. KUNZIG. Mr. Baker, did you ever work for the Food, Tobacco and Agricultural Workers?

Mr. BAKER. I decline to answer.

Mr. SCHERER. Now, direct the witness to answer the question.

Mr. VELDE. I see no possible way that you could incriminate yourself under the constitutional privilege. Answer the question.

Mr. BAKER. I am afraid it might furnish a link in a chain of evidence.

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. VELDE. Let me get you straight. Is that the only grounds you have upon which to base refusal?

Mr. BAKER. I don't see any choice but to read by statement again. I refuse to answer that question because I fear that such an answer might furnish a link in a chain of evidence that might be used to incriminate me under the Smith and McCarran Acts. Therefore, I wish to avail myself of the privilege afforded by the fifth amendment of the Constitution of the United States.

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. KUNZIG. Mr. Waller went on to say that you were approximately between 40 and 45 years of age; "a medium height and skinny-built guy," and weighing approximately 150 pounds. That was at the conclusion of the testimony Mr. Waller gave us.

Mr. CLARDY. Isn't that an accurate description of you?

Mr. BAKER. I think he overestimates my age.

Mr. CLARDY. How much?

Mr. BAKER. The testimony will show that I don't remember.

Mr. CLARDY. How old are you?

Mr. BAKER. I am 44.

Mr. SCHERER. Didn't Mr. Waller know you well enough to judge your age?

Mr. BAKER. I refuse to answer that.

(Mr. Baker at this point conferred with Mr. Blake.)

Mr. KUNZIG. Have you at any time been engaged in any espionage activities at any time?

Mr. BAKER. I refuse to answer that on the same grounds.

Mr. KUNZIG. Are you now engaged in any Communist Party espionage activities against the United States of America?

Mr. BAKER. I refuse to answer that. It might incriminate me.

Mr. KUNZIG. I have no further questions.

Mr. SCHERER. Witness, is your wife a member of the Communist Party?

Mr. BAKER. I refuse to answer that. By your own rules I am entitled not to answer that question.

Mr. CLARDY. Our own rules do not permit you to use that objection; but anyway you are not going to answer?

Mr. BAKER. I would like to give a better reason. It might tend to incriminate me.

Mr. CLARDY. You only invoke the fifth amendment as it applies to you?

Mr. BAKER. That is right; and I am doing it.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. DOYLE. Mr. Baker, when you are through conferring with your counsel.

Mr. BAKER. All right.

Mr. DOYLE. I am always glad to have a witness do that. I would like to ask you a question or two. You said under the Smith Act, as I understood you, you might form a chain of evidence.

Mr. BAKER. I was referring to the Smith and McCarran Acts.

Mr. DOYLE. Have you read those acts?

Mr. BAKER. I am answering partly on the advice of counsel.

Mr. DOYLE. What portion of the Smith and McCarran Acts were you referring to?

Mr. BAKER. I would be glad to have my lawyer answer the question.

Mr. DOYLE. I am asking you. Your lawyer cannot be the witness. You are the witness.

Mr. BAKER. I will speak the law then.

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. DOYLE. Just a minute. At this time are you familiar with the Smith and McCarran Acts so you can answer accurately what provisions you are relying on; or are you making a statement because your lawyer told you to?

Mr. BAKER. I understand, or I have an opinion, that the Smith and McCarran Acts made certain things illegal or felonious so that I can be put in jail where the questions are unfair to me.

Mr. DOYLE. You heard our distinguished chairman relate that that act only applied—just a minute, Counsel. Let me talk to your witness. The act only applied to teaching or advocating the use of force and violence for the overthrow of our Government.

Mr. BAKER. I believe the law is quite inclusive. It even includes association.

Mr. DOYLE. Have you read the law?

Mr. BAKER. I have read reports in newspapers and things like that.

Mr. DOYLE. Where else besides the daily newspaper?

Mr. BAKER. I don't know.

(Mr. Baker at this point conferred with Mr. Blake.)

Mr. DOYLE. Just a minute, Counsel, please, when you are finished.

Mr. VELDE. He has the right to confer with counsel.

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. BAKER. Do you want me to refer back to that question or to proceed?

Mr. DOYLE. No; what is it counsel told you?

Mr. BAKER. My counsel advised me there is not a proper predicate for that question.

Mr. DOYLE. Not a proper predicate? Let me see, are we in grammar school here?

(At this point Mr. Blake conferred with Mr. Baker.)

Mr. DOYLE. You mean there is not sufficient foundation laid. Is that what you are getting at? Of course, counsel is not permitted to address the committee. This is not a court of law. We are not bound by the laws of evidence. We are not required to ask questions that lay the groundwork for foundation before we ask the question. You know that. This is an investigation, not a court of law.

Mr. BAKER. But I am bound by the law.

Mr. DOYLE. You are; and so am I; but this is not a court of law. You volunteered the statement that you read about the law in the newspaper. In what newspaper did you read about it?

Mr. BAKER. I refuse to answer on the ground that it may tend to incriminate me.

Mr. DOYLE. Let me see if I understand your answer. I asked you in what newspaper you read about the Smith and McCarran law and you answered it might tend to incriminate you. I ask the chairman to direct the witness to answer the question.

Mr. VELDE. I don't see any reason why reading any of our great American newspapers would tend to incriminate you at all. You are directed to answer the question.

Mr. BAKER. I regret I have to so often refer to this answer; it might furnish a link in the chain of evidence.

Mr. DOYLE. To merely give the name of some American newspaper might in some way incriminate you?

Mr. BAKER. That is what I intend to imply.

Mr. DOYLE. What newspaper; daily newspaper do you read as a matter of habit?

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. DOYLE. Can't you answer that without conferring with your lawyer?

Mr. BAKER. I read the Tampa Tribune.

Mr. DOYLE. Is that the only newspaper you read? What I am trying to get at from you is an honest-to-God answer; for a frank answer. What newspaper did you read this in?

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. DOYLE. I am not trying to trip you or impeach you. I am trying to get an honest, frank, American answer; that is all.

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. BAKER. I can restate what I said. I read the Tampa Tribune.

Mr. DOYLE. Is that where you read the article?

Mr. BAKER. I don't know.

Mr. DOYLE. How long ago did you read the article on which you are relying?

Mr. BAKER. I don't know.

Mr. DOYLE. Do you get any other newspapers to which you subscribe that come into your home?

Mr. BAKER. I decline to answer.

Mr. DOYLE. Do you get the Daily Worker or the Peoples' Daily World?

(At this point Mr. Baker conferred with Mr. Blake.)

Mr. DOYLE. Let me ask you a frank question. Isn't it true that you might have read about the Smith and McCarran Acts when you were reading the Daily Worker or the Peoples' Daily World or some other Communist literature?

Mr. BAKER. I decline to answer that on the ground it might tend to incriminate me.

Mr. DOYLE. Are you the father of any children?

Mr. BAKER. I think I can answer that for you; yes.

Mr. DOYLE. Are you going to plead the same way on that?

Mr. BAKER. I might question the relevancy of the question.

Mr. DOYLE. The relevancy of the question is, sir—I am going to ask you again and from the answer to that question will be another question which will be relevant.

Mr. VELDE. He did answer. He said, "Yes."

Mr. DOYLE. Have those children so far attended any Communist classes with your knowledge and permission?

Mr. BAKER. I decline to answer.

Mr. DOYLE. In other words, you can't answer frankly as an American father whether or not you allowed your children to go to Communist Party classes.

Mr. BAKER. I decline to answer that too.

Mr. DOYLE. No further questions.

Mr. VELDE. Any further questions, Mr. Counsel?

Mr. KUNZIG. No, sir; no further questions.

Mr. VELDE. I wish to say that I am very much disappointed; and the other committee members are very much disappointed in your refusal to give information about the activities in the Communist Party. I think you should go home tonight and think this problem over. If you are a loyal American citizen, which I doubt very much; you will come forward and give the answers to the questions which we know you have. You are dismissed.

Mr. VELDE. Any further witnesses, Mr. Counsel?

Mr. KUNZIG. No further witnesses, Mr. Chairman.

Mr. VELDE. With my colleagues, let me say on behalf of the committee that we owe a lot to various people in the State of Florida.

May I have order, please.

First of all, I would like to say to this physical audience present that you have been very attentive and very orderly; and for that we are thankful. In many places we have gone throughout the country we have experienced a lot worse treatment so far as we were concerned because the audiences were filled with Communists and Communist sympathizers. It is apparent to me that there are no Communist sympathizers in this audience today.

Next, we have been afforded courteous treatment by all the citizens in this area, with the exception of some of the witnesses who appeared here; and we are especially appreciative to two judges down here—Judge Holland and Judge Whitehurst. I understand that in order to make this courtroom available to us for these hearings they had to use another smaller room for their own courtroom work. We have been most courteously treated by Mr. Green, superintendent of the building; and Marshal Hickson who preserved order; and J. P. Adams and Mr. Mallick for order in the courtroom. Thanks for the assistance of the Honorable James L. Guilmartin, United States district attorney for the southern district of Florida; and the bar association for cooperating with us in obtaining counsel for two witnesses who were unable to obtain counsel of their own. And may we praise the television, newsreel, and newspaper men who have given us such fine and courteous treatment. For that we are thankful.

I want to particularly thank those witnesses who came forward to testify. It takes a lot of courage to come forward and give your story of Communist Party connections. I want you to understand that we investigate other things beside the Communist Party; but communism is the present danger.

As my last act as chairman of the Committee on Un-American Activities, I want to thank my good friends who came down to be on these hearings, my colleagues here, for the fair treatment they extended to me and the spirit of cooperation they have shown to best operate as a nonpartisan committee. As you realize, if we engaged in partisan politics, it would be very favorable to the Soviet Government and the Communist Party.

I want to say this. I do feel there is still a hard core of Communist Party members operating in the State of Florida. However, the situation, I feel, is not as bad in the State of Florida or any place in the Southeast as it has been in other parts of the country in which we held hearings. Your success is evidenced in this area a great deal by your interest in combating a communism in all its forms of subversion. We mentioned awhile ago that we are getting out to the public an article, *The American Negro and Communism*; and we have other literature available to those interested in what the United States Government and Congress is doing to overcome subversion; and for those of you who are particularly interested in learning more about the various threats to our Government through subversion, you are invited to write in to the committee for various pamphlets and other information we have available to you.

Let me say, with the exception of the executive meeting which will deal with the business of the committee to be held right after we adjourn here, I will have nothing more to do with the operation of the committee other than to act as ranking Republican member of the committee next year. I thank you.

Mr. CLARDY. I would particularly like to mention that today as I left the building at noon to walk over to the place I was lunching, a citizen came up to me and suggested that we should call to your attention the fact that when a member of the bar association appears on behalf of a witness, he becomes identified with the member of the Communist party. No inference should be drawn that an attorney is doing anything improper or on behalf of the members of the Communist Party.

All the members of the committee, with the exception of one, are attorneys. We know, as attorneys, we are charged with the duty of representing anyone who asks our services. These attorneys appeared here today as officers of the court and to do what any attorney generally would do when his services are sought. I am underscoring that because this lady who came up to me had overheard a conversation that was strictly condemning an attorney who appeared here. When an attorney is doing what he is charged with doing under his oath of office that does not mean that he, himself, is sympathetic with the cause of the Communist Party.

That raises a point. I agree with the local judge for disbarring an attorney practicing in this area and making it clear that no attorney can possibly be a member of the Communist Party and be true to his oath as a member of the bar. Any attorney who takes the fifth amendment, in the opinion of the court, when asked questions

as to membership in the Communist Party is doing something incompatible with his oath; and makes it impossible for him to be an honest officer of the court. We have three such recommendations on three members of the bar in my own State; and I have called the attention to the association of the case I have referred to in this State versus Sheiner.

Something was said by a witness the other day. This witness said something along the line that we should be alerted much more than we are to the dangers of communism. I am inclined to agree with that witness. I think the function of gaining information by this committee is as important a function as presenting legislation to the Congress. We were the originators of the bill that actually would almost outlaw communism, and other important legislation; but I don't think that is as important a function as bringing to the attention of the people of the United States the grave nature of the threat of communism and those who associate with it, the communist fronts and left wingers.

There is one other thing. This committee can do very, very little in fighting this evil. All it can do is call it to the public attention and propose legislation to the Congress. It is primarily a local duty and a local movement. I hope you start coming down to the real job of finishing this; because this committee has only been here for a brief period of time and only scraped the surface, so to speak. The real job is to be carried on by the local churches, the bar association, and others. I don't want you to think because we have been here we have wound up everything all fresh and clean.

In my opinion, I think the threat of communism today is greater than any time in history. I am afraid that unless the people are alerted in this community and in other communities, we may find ourselves in a lot more trouble than you can imagine. The world scene today is one of turmoil. It is not for us to think there is plenty of time. They are intent on destroying this Government and all those associated with it; and if our necks are about to be stretched, yours will be next. I hope you will join in the fight with us; and it is up to you to carry it on. Thank you.

Mr. VELDE. Mr. Scherer.

Mr. SCHERER. I have no remarks.

Mr. VELDE. Mr. Doyle, I think you should proceed with that smog business out there.

Mr. DOYLE. Being the only member of the committee here on the Democratic side of the political aisle in Congress at this meeting, I appreciate the courtesy of the chairman in calling upon me to make a few remarks as we close our committee hearings here in this beautiful city of Miami in the magnificent State of Florida.

I want to emphasize for our hearers and the record that it is a very difficult and trying job to act as chairman of our committee of nine members and also perform your duties as a United States Congressman. The committee presently consists of 5 Republicans and 4 Democrats, but in the 84th Congress there will be 5 Democrats and 4 Republicans. But we as a committee are functioning primarily as American Congressmen rather than as Democrats and Republicans. We will miss you as chairman, Mr. Velde. You have been remarkably fair at times. I, as a committee member and a Democrat, appreciate it. We are all glad you are going to stay on the committee as the

ranking Republican and we wish you a very happy experience on your forthcoming marriage and honeymoon.

In view of your pleasant remark, Mr. Chairman, that I, from Los Angeles County, Calif., should do something about the smog that you read about as being out there in that part of my native State, I wish to say that I brought with me from Los Angeles County a bottle filled with smog, and the reason Mrs. Doyle and I brought it with us in our automobile drive of 3,500 miles from Los Angeles County to Miami was so I could pour it on the water should there be a Florida hurricane while the committee is here and while we are visiting beautiful Florida. We in California have a real affection for Florida. Both States are magnificent and both States have had, and will have, increasing importance in the destiny of our beloved Nation. We have very, very much in common, and, of course, every State in the Union of States is interdependent so that the prosperity or misfortune of any State helps build or limit every other State. As a native son of California, I wish the whole State of Florida great prosperity, and the people of Florida richer happiness and satisfactions in 1955 than even were had in 1954.

I wish to emphasize that this subcommittee which has been sitting here with you in this beautiful courthouse room in Miami these few days, is not a subcommittee of a special congressional committee, for the House Un-American Activities Committee is one of the regular permanent House of Representatives committees and was so designated by the House Rules and by the action of all the Members of the House. This committee of 9 members, of which we 5 members are a subcommittee, was created under Public Law 601. Under said law 601, we have the specific duty and assignment to be here in Florida, or any other place in the Nation, under the terms of that law, where it is found necessary and advisable to hold hearings after investigations as to the extent of Communist or other subversive un-American activities and propaganda. We did not come here for a vacation trip or experience. I would much rather have stayed in sunny California with my immediate family, loved ones, and friends and even gone on a hunting or fishing trip which I missed on account of having to come here. It likewise would have been much more comfortable for other committee members from Michigan, Missouri, Ohio, and Illinois to take a well-earned vacation before they returned to their difficult work at the Nation's Capital beginning January 5 next. But, since our distinguished chairman asked me to make some further appropriate remarks, I have two or three extemporaneous suggestions to make especially to you residents of beautiful Miami and throughout the State of Florida.

These suggestions are as follows:

1. Cooperate with your local police and other law enforcement officers more than you have heretofore. By local authorities I mean your local police department, local district attorney, the United States district attorney and his staff and the local representatives of the FBI. They are working locally and throughout the State to uncover, reveal, and defeat subversive activities wherever found. It is of utmost importance that there be sound, tactful, patriotic cooperation between the loyal local citizens in every community with their local responsible law-enforcement officials.

2. Teach your own children in your own homes more love, respect, and affection for the flag of the United States of America. And, likewise, see to it that in the public and private schoolrooms the children and American youth there will likewise habitually be taught the necessity and value of love, respect, and affection for the Stars and Stripes. And, of course, it should be self-evident for every thinking American that just in proportion as adult Americans love, respect, and apply affection and loyalty to the Stars and Stripes, just to that degree will our American children and American youth learn by perception and practice to have the same standard of love, respect, and affection for our American flag and for our beloved Nation. Over the Nation here and there there is a shocking lack of display of the Stars and Stripes. Furthermore, just in proportion as we adult Americans give practical application to a patriotic recognition by us, and each of us individually and in groups, that we live in the greatest and finest and fairest nation in the world's history, just to that extent will our own children have living examples of what they, as American children and American youth, should expect to be when they, too, reach their adult citizenship responsibilities and duties. In a very large measure our children are what we make them by our own day-by-day example of conduct and practices and relationships to our neighbors and to our local, State, and National Governments, and to our local, State, and nationally chosen, elected, or appointed government officials. Lack of respect for the flag in our National, State, or local governments and agencies does not begin because of lack on the children's part. It begins because of the lack in the adult population of our cities, States, and Nation. It is adult delinquency, negligence, and fault in the first instance.

3. I wish to say this: That this subcommittee is not here in Miami and Florida because the United States Congress has authorized us or wants us to in any way interfere with freedom of thought in our American life and experience. Personally I recognize the privilege and power and appropriateness of patriotic difference of opinion. The freedom to have difference of opinion is the backbone of prosperity in the American way of life. And I, as one American, recognize that the citizen who patriotically differs with me in my patriotic opinion may prove to be a lot more valuable in his patriotic expression of them than I. Furthermore, I take the position that every American citizen has a legal and a moral right and duty to think as he pleases, to be what he pleases, to do as he pleases; provided, however, that he does these things within the bounds and limits of the four corners of the United States Constitution. For to do these things or any of them outside the four corners of the Constitution is to eventually do them in violation of constitutional law and government. That is exactly what the Communist Party in America and every subversive group or subversive organization are practicing. They set themselves up as above and paramount to constitutional law and constitutional government. They seek to subvert and destroy by force and violence, if need be, and they justify it out of force and violence when the time comes in their judgment to use it. It is this advocacy of the use of force and violence which is one of the chiefest of results I, as a Member of the United States Congress, find satisfaction in the discharge of my official duties as a member of this House Un-American Activities Committee.

It is also my duty and privilege to serve as a member of the Committee on Armed Services, in connection with which it has been my responsibility and privilege to visit officially most of the countries of the world.

This leads me to state that the last time I was in Europe, China, and the Philippines as a Member of Congress I had the benefit of speaking and visiting at some length with certain American ambassadors, consulate officers, and intelligence officers, both American and foreign. And when I asked whether or not they would give me an opinion, if they had one, as to the extent of the Communist conspiracy in Korea, China, the Philippines, France, Germany, Africa, and so forth, and the relationship between the aggressive Communist conspiracy in the United States, they unanimously replied that they believed it was the same international subversive conspiracy to aggressively and militarily, if need be, destroy constitutional government in the United States and in other freedom-loving nations.

Mr. Chairman, in closing these extemporaneous remarks I wish to again give the invitation you and other members of this committee have so often heard me give during the last 3 or 4 years to those American people who may hear my voice and who may have at one time or another joined the Communist Party or a known or unknown Communist front or some subversive group or program—that invitation, as you know, Mr. Chairman, which I habitually give at committee hearings, is to each and every one of these persons, wherever they may be, to come forward and let it be known to the committee, to their own duly constituted law-enforcement officers, that they have backed away and have withdrawn from former Communist affiliations or associations and desire to now cooperate with constituted law and government to uncover, expose, and eradicate such elements in our beloved Nation.

Thank you very much, Mr. Chairman, for your courtesy in calling upon me for these remarks just before we adjourn our committee.

Mr. VELDE. Thank you very much, Mr. Doyle, for a very fine statement; and unless there is anything further to come before the committee we will adjourn sine die.

(Whereupon, at 3:55 p. m., the hearing was adjourned.)

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